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Ontario

ENVIRONMENTAL MANUAL

PROVINCIAL HIGHWAYS CLASS ENVIRONMENTAL ASSESSMENT PROCESS

WORKING DRAFT

 Ontario



ENVIRONMENTAL MANUAL

PROVINCIAL HIGHWAYS CLASS ENVIRONMENTAL ASSESSMENT PROCESS

FOR:

GROUP "B" PROJECTS

PROJECTS APPROVED SUBJECT TO COMPLIANCE
WITH THE CLASS ENVIRONMENTAL ASSESSMENT
PROCESS

GROUP "C" PROJECTS

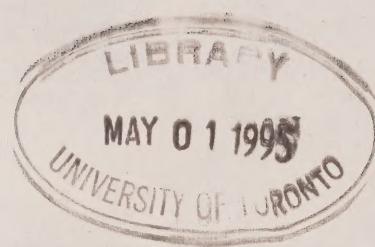
PROJECTS APPROVED SUBJECT TO SCREENING
FOR ENVIRONMENTAL EFFECTS

GROUP "D" ACTIVITIES

ACTIVITIES APPROVED SUBJECT TO COMPLIANCE
WITH OTHER ENVIRONMENTAL LEGISLATION AND
REQUIREMENTS

WORKING DRAFT

QUALITY & STANDARDS DIVISION
ENVIRONMENTAL OFFICE
MARCH 1993
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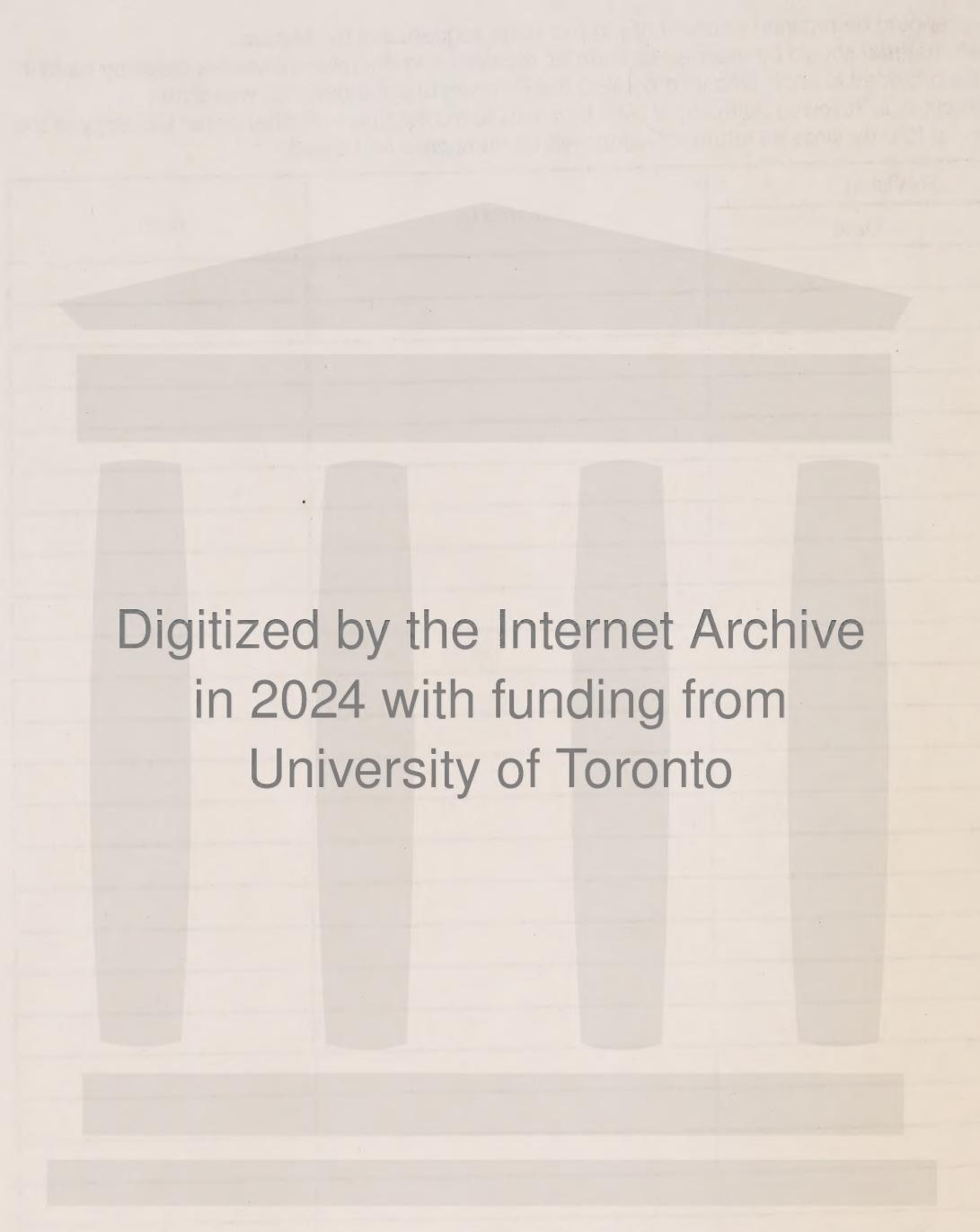
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PROVINCIAL HIGHWAYS CLASS ENVIRONMENTAL ASSESSMENT PROCESS

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NOTE

This document has been prepared as a "working draft". During the first year of its release, any comments, concerns, suggested revisions and / or additions should be brought to the attention of the appropriate MTO Regional Environmental Unit supervisor and / or the MTO Environmental Office (Mr. D. McKnight at (416) 235-3478) for follow-up.



TABLE OF CONTENTS

	Page
CHAPTER 1 - INTRODUCTION	1-1
1.1 PURPOSE OF THE CLASS EA PROCESS MANUAL	1-1
1.2 BACKGROUND REGARDING PROVINCIAL HIGHWAYS CLASS ENVIRONMENTAL ASSESSMENT (1992)	1-2
1.3 FORMAT OF THE MANUAL	1-3
1.4 OTHER ENVIRONMENTAL ASSESSMENT CONSIDERATIONS	1-5
1.4.1 Federal Environmental Assessment Requirements	1-5
CHAPTER 2 - PROJECT EA CLASSIFICATION / RECLASSIFICATION	2-1
2.1 PROJECT INITIATION AND IDENTIFICATION OF NEED	2-1
2.1.1 Justification Report	2-3
2.2 PROPONENCY	2-4
2.3 EA CLASSIFICATION	2-4
2.3.1 Group "A" Projects	2-6
2.3.2 Group "B" Projects	2-6
2.3.3 Group "C" Projects	2-7
2.3.4 Group "D" Activities	2-7
2.4 RECLASSIFICATION / "BUMP-UP" PROVISIONS	2-7
CHAPTER 3 - GROUP "B" PROJECTS - CLASS EA PROCESS	3-1
3.1 INTRODUCTION	3-1
3.2 DESCRIPTION OF GROUP "B" PROJECT TYPES	3-1
3.2.1 Purpose of Group "B" Projects	3-5
3.2.2 Alternatives	3-5
3.2.3 Project Rationale	3-6
3.3 STUDY PROCESS	3-6
3.3.1 Assessment of Project Level of Complexity	3-11
3.3.1.1 Complexity Screening Criteria	3-13
3.3.2 Terms of Reference and Study Design	3-13
3.3.2.1 Project Appraisal Report	3-15
3.3.2.2 Environmental Assessment Proposal (EAP)	3-15
3.3.3 Planning Stage	3-16
3.3.3.1 Definition of Problem / Opportunities	3-18
3.3.3.2 Identification of "Alternatives To" - Planning	3-18

3.3.3.3	Assessment of "Alternatives to the Undertaking"	
	- Planning	3-18
3.3.3.4	Initial Mandatory Notification	3-19
3.3.3.5	Data Collection - Planning	3-19
3.3.3.6	Identification of "Alternative Methods of Carrying Out the Undertaking" - Planning	3-20
3.3.3.7	Analysis and Evaluation - Planning	3-20
3.3.3.8	External Contacts and Public Consultation	3-21
3.3.3.9	Selection of the Preferred Alternative Method - Planning	3-21
3.3.3.10	Review of EA Category - Planning	3-22
3.3.3.11	Documentation - Planning	3-22
3.3.3.12	Early "Bump-Up" Request	3-22
3.3.4	Preliminary Design Stage	3-23
3.3.4.1	Project Appraisal Report	3-25
3.3.4.2	Preliminary Review for Environmental Documentation Type and Need for Early Submission	3-25
3.3.4.3	Design Criteria	3-26
3.3.4.4	Collection and/or Update of Background Data - Preliminary Design	3-26
3.3.4.5	Identification of "Alternative Methods of Carrying out the Undertaking" - Preliminary Design	3-26
3.3.4.6	Initial Mandatory Notification	3-26
3.3.4.7	Other Notification	3-27
3.3.4.8	Data Collection - Preliminary Design	3-27
3.3.4.9	Analysis of Environmental Effects and Development of Preliminary Mitigating Measures - Preliminary Design	3-27
3.3.4.10	Evaluation of Alternatives - Preliminary Design	3-28
3.3.4.11	External Contacts and Public Consultation	3-29
3.3.4.12	Selection of the Preferred Alternative - Preliminary Design	3-29
3.3.4.13	Review of EA Category - Preliminary Design	3-29
3.3.4.14	Documentation - Preliminary Design	3-30
3.3.4.15	Early "Bump-Up" Request	3-31
3.3.4.16	Final Mandatory Notification	3-31
3.3.4.17	Property Acquisition	3-32
3.3.5	Detail Design Stage	3-32
3.3.5.1	Predesign	3-34
3.3.5.2	Data Collection - Detail Design	3-34
3.3.5.3	Review for Documentation Type	3-35
3.3.5.4	Review for Early Submission	3-35
3.3.5.5	Initial Mandatory Notification	3-35
3.3.5.6	Other Notification	3-35
3.3.5.7	Final Mandatory Notification	3-36
3.3.5.8	Identification of "Alternative Methods of Carrying out the Undertaking" - Detail Design	3-36

3.3.5.9	Identification of Environmental Effects and Mitigating Measures - Detail Design	3-36
3.3.5.10	Analysis and Evaluation of Alternatives - Detail Design	3-37
3.3.5.11	External Contacts and Public Consultation	3-37
3.3.5.12	Selection of the Preferred Alternative - Detail Design	3-38
3.3.5.13	Preparation of Contract Package - Detail Design	3-38
3.3.5.14	Documentation - Detail Design	3-38
3.4	PROJECT "ENVIRONMENTAL CLEARANCE"	3-39
3.4.1	Activities That Can Occur Prior to Project "Environmental Clearance"	3-40
3.4.2	Activities That Can Occur Only After Project "Environmental Clearance"	3-41
3.5	PROJECT IMPLEMENTATION PROCESS	3-41
3.5.1	Projects with Tendered Contracts	3-43
3.5.1.1	Design Package Turnover / Handover	3-43
3.5.1.2	Bidder's Meeting	3-44
3.5.1.3	Pre-start Meeting or Pre-work Meeting	3-44
3.5.1.4	Public Notification	3-45
3.5.1.5	Contractor's Proposal	3-45
3.5.1.6	On Site / Progress Meetings	3-45
3.5.1.7	Environmental Monitoring During Construction	3-46
3.5.1.8	Contract Acceptance Process	3-47
3.5.1.9	Project Construction Report	3-47
3.5.2	Projects with Equipment Rental and Day Labour	3-48
3.6	ENVIRONMENTAL REQUIREMENTS DURING OPERATION AND MAINTENANCE OF A SPECIFIC PROJECT	3-48
3.7	PROJECT IMPLEMENTATION DELAYS AND REVIEW	3-49
3.8	PROCESS MONITORING	3-49
3.8.1	Project-Specific Class EA Process Monitoring	3-50
3.8.2	Overview Class EA Process Monitoring	3-50
CHAPTER 4 - GROUP "C" PROJECTS - CLASS EA PROCESS		4-1
4.1	LIST OF GROUP "C" PROJECTS	4-1
4.2	SCREENING	4-6
4.2.1	Capital Construction Projects	4-6
4.2.1.1	Documentation for Group "C" Capital Construction Projects	4-8
4.2.2	Operation, Maintenance and Administrative Activities	4-8
4.2.3	Reclassification of a Group "C" Project	4-9

CHAPTER 5 - GROUP "D" ACTIVITIES	5-1
5.1 STATUS UNDER THE EA ACT	5-1
5.2 LIST OF GROUP "D" ACTIVITIES	5-1
5.3 MANAGEMENT OF EXCESS MATERIALS AND WASTE	5-2
5.3.1 Documentation and Public Consultation for Excess Materials and Waste	5-3
5.3.2 Policy and Procedures for Excess Materials and Waste	5-4
5.4 MTO WASTE DISPOSAL AND DEDICATED FILL SITES LESS THAN 40,000 m ³	5-5
5.5 EMERGENCY RESPONSE	5-5
5.5.1 Documentation and Public Consultation for Emergency Response	5-6
5.5.2 Policies and Procedures for Emergency Response	5-7
5.6 AGGREGATES	5-7
5.6.1 Public Consultation for Aggregates	5-8

LIST OF EXHIBITS

	Page
EXHIBIT 1 PROJECT INITIATION STAGE	2-2
EXHIBIT 2 PROVINCIAL HIGHWAYS AND ASSOCIATED FACILITIES - PROJECT GROUPS AND EA REQUIREMENTS	2-5
EXHIBIT 3 TYPICAL "ALTERNATIVES TO" AND "ALTERNATIVE METHODS"	3-7
EXHIBIT 4 CLASS ENVIRONMENTAL ASSESSMENT PROCESS (GROUP "B" PROJECTS)	3-9
EXHIBIT 5 RELATIONSHIP OF GROUP "B" PROJECTS TO "LEVEL OF COMPLEXITY" AND STAGES IN THE GENERAL PROCESS	3-12
EXHIBIT 6 COMPLEXITY SCREENING CRITERIA FOR GROUP "B" PROJECTS	3-14
EXHIBIT 7 PLANNING STAGE	3-17
EXHIBIT 8 PRELIMINARY DESIGN STAGE	3-24
EXHIBIT 9 DETAIL DESIGN STAGE	3-33
EXHIBIT 10 PROJECT IMPLEMENTATION STAGE	3-42
EXHIBIT 11 GROUP "C" SCREENING	4-7

APPENDICES

APPENDIX A	FEDERAL ENVIRONMENTAL ASSESSMENT REQUIREMENTS
APPENDIX B	PROPONENTY
APPENDIX C	RECLASSIFICATION / "BUMP-UP" PROVISIONS
APPENDIX D	GROUP "B" PROJECTS - ALTERNATIVES
APPENDIX E	CONSULTATION PROCESS
APPENDIX F	CONTACT LISTS
APPENDIX G	SAMPLE NOTICES / LETTERS
APPENDIX H	PUBLIC INFORMATION CENTRES
APPENDIX I	OTHER CONSULTATION CONSIDERATIONS <ul style="list-style-type: none">• Freedom of Information and Protection of Privacy Act• French Language Services Act• First Nation Consultation
APPENDIX J	DATA SOURCES
APPENDIX K	PROJECT-SPECIFIC ENVIRONMENTAL PERMITS AND APPROVALS
APPENDIX L	EVALUATION METHODOLOGIES
APPENDIX M	ENVIRONMENTAL STUDY REPORT, REDUCED DOCUMENTATION LETTER AND ENVIRONMENTAL STUDY FILES
APPENDIX N	OTHER DOCUMENTATION
APPENDIX O	MTO RESPONSIBILITY FOR COMPLIANCE WITH ENVIRONMENTAL LEGISLATION ON PROJECTS WITH TENDERED CONTACTS
APPENDIX P	GROUP "C" SCREENING - TYPICAL QUESTIONS
APPENDIX Q	GROUP "D" ACTIVITIES - POLICIES AND PROCEDURES

-
- | | |
|------------|--|
| APPENDIX R | ENVIRONMENTAL CONSIDERATIONS AND TYPICAL MITIGATION |
| APPENDIX S | MINISTRY OF TRANSPORTATION POLICY STATEMENTS AND
GUIDELINES |
| APPENDIX T | OVERVIEW CLASS EA PROCESS MONITORING |
| APPENDIX U | GLOSSARY OF TERMS |
| APPENDIX V | MISCELLANEOUS INFORMATION |



ACKNOWLEDGEMENT

This manual is one in a series of manuals being developed by the Environmental Office of the Ministry of Transportation. It has been prepared by the Environmental Office with input from the Regional Environmental Units and Planning and Design Sections. Project management on behalf of the Environmental Office was provided by Mr. William Jones and Mr. Daniel McKnight.

McCormick Rankin, Consulting Engineers, assisted the Ministry in the preparation of the working draft of the manual.

During the development of the manual, input was provided by the Environmental Advisory Group which included:

Environmental Office

Mr. W. Jones - Head, Environmental Assessment and Social Factors Section
Mr. D. McKnight - Policy Analyst, Environmental Assessment and Social Factors Section
Mr. J. Dougall - Head, Environmental Sciences Section
Ms. M. Weaver - Head, Water and Contaminants Section

Southwestern Region

Mr. D. Wake - Regional Environmental Unit Supervisor

Central Region

Mr. F. Leech - Coordinator, Environmental Planning

Northern Region

Mr. B. Roberts - Regional Environmental Unit Supervisor
(Replaced by Mr. B. Bird - Environmental Planner)

Eastern Region

Mr. D. McAvoy - Environmental Planner

Northwestern Region

Mr. H. Makela - Environmental Planner



CHAPTER 1 - INTRODUCTION

1.1 PURPOSE OF THE CLASS EA PROCESS MANUAL

The Ministry of Transportation's (MTO) Provincial Highways Class Environmental Assessment Document (hereafter referred to as the Class EA or parent Class EA) was approved by Order in Council (O.C. No. 3426/92) on November 25, 1992 and came into effect at that time. Approval terminates on December 1, 1997. This Class EA Process Manual has been prepared to provide an elaboration of the parent Class EA in order to assist in its implementation by MTO staff and their representatives.

The goals of the Class EA Process Manual are three-fold:

- To provide direction to, and ensure consistency for, environmental planners, project managers and consultants conducting projects under the MTO Provincial Highways Class EA (1992);
- To provide a basis of instruction for new MTO staff and consultants' staff working on MTO regional projects;
- To consolidate memos, Environmental Office Bulletins and other information regarding Class EA issues.

Since the emphasis in the parent Class EA is on the documentation of a process for review and approval, that document was written to facilitate its review by external agencies, interest groups and the public and therefore provides for a high level of flexibility. The Class EA Process Manual, on the other hand, provides internal direction to MTO staff as to how the environmental requirements of a project subject to the Class EA process are addressed by MTO. While it contains pertinent excerpts from the parent Class EA (*shown in italicized type*), it also contains, where appropriate, more specific and practical information for MTO staff regarding the application of the Class EA. Where possible, the tools used for addressing environmental requirements are included and the "rules of thumb" / "red flags" / "triggers", "how to", etc., are identified.

Although the Class EA Process Manual has been prepared as a 'standalone' document, its relationship to other documents must be recognized. It is neither all-inclusive nor meant to be used in isolation. In fact, it includes numerous references to other MTO and external documents for the information of the user.

It should be noted that the parent Class EA takes precedence since it is the legal document which has received approval. When reviewing the Class EA process with parties outside of MTO (for example, external agencies, interest groups, the public), the parent Class EA should be the document used for reference.

In addition, it should be noted that the Class EA Process Manual focuses on the provincial class environmental assessment process and requirements. For other environmental assessment processes and factor-specific environmental information, there are numerous other reference documents which are available. As well, for engineering details of the process, one should refer to other MTO guiding documents.

As noted in the goals, the Class EA Process Manual has been prepared for environmental planners, project managers and consultants. Generally, however, the manual does not focus on the specific responsibilities of any one of these users but rather focuses on how the environmental requirements of the Class EA are addressed by MTO. Usually, each project carried out following the Class EA process is assigned a project manager from the Regional Planning and Design Section or Structural Section and an environmental planner from the Regional Environmental Unit. Although overall project management is the responsibility of the project manager, the environmental planner is responsible for ensuring that the approved environmental assessment process is followed during the course of the study. On some studies, consultants may be retained to assist MTO staff. Therefore, the Class EA Process Manual identifies the environmental requirements that need to be addressed by MTO and how. Where appropriate, it also identifies by whom. It should be noted that there may be regional variations in responsibilities and processes.

1.2

BACKGROUND REGARDING PROVINCIAL HIGHWAYS CLASS ENVIRONMENTAL ASSESSMENT (1992)

The parent Class EA document defines the environmental assessment process for the following:

- projects approved subject to compliance with the Class Environmental Assessment process (Group "B" projects);
- projects approved subject to screening for environmental effects (Group "C" projects);
- activities approved subject to compliance with other environmental legislation and requirements (Group "D" activities).

Project classification is discussed in detail in Chapter 2. Neither the parent Class EA nor the Class EA Process Manual address Group "A" projects (i.e. individual or full environmental assessments). They are addressed in other MTO environmental policy and procedural guidelines.

The Class EA (1992) replaces the 1985 "Provincial Highways Program Class Environmental Assessment". *In summary, the basic approach outlined in the 1985 Class EA has not changed significantly, however some revisions have been made. The main revisions are:*

- *clarification of the process, simplification of its presentation and reorganization of the document . . .*
- *inclusion of major realignments and bypasses as Group "B" projects. . . . Major realignments, minor realignments and bypasses are hereafter referred to as "realignments".*
- *amendments to the Group "C" list to more clearly define the generic project types.*
- *inclusion of a set of activities which are subject to other environmental legislation and requirements which impose controls for the purposes of environmental protection, (Group "D" activities).*
- 30-day review is now a 45-day review.

1.3 FORMAT OF THE MANUAL

A three ring binder format has been utilized to enable users to add pertinent information, for example, regional-specific information (i.e. regional-specific contact lists, etc.). A disk of the generic notices / letters contained in Appendix G is available from the Environmental Office (other information is also available, upon request).

Since the manual has been prepared as a standalone document, portions of the parent Class EA have been included. Where text has been taken from the parent Class EA, *it is shown in italicized type*.

Information in the text which is particularly important or useful **is shown in bold type**.

The table of contents has been prepared in a detailed manner to aid the user in finding information. In addition, an outline of the more frequently used information is provided in this section. It is proposed that a detailed subject index be prepared at a later date for inclusion.

INDEX OF FREQUENTLY USED INFORMATION

Topic	Location in Manual
• EA classification	- Sections 2.3, 3.2 (Group "B"), 4.1 (Group "C") and 5.2 (Group "D")
• Reclassification	- Section 2.4 and Appendix C
• "Bump-up" provisions	- Section 2.4 and Appendix C
• Group "B" projects <ul style="list-style-type: none"> • types • alternatives • process flow chart • level of complexity • planning stage* • preliminary design stage* • detail design stage* 	<ul style="list-style-type: none"> - Chapter 3 - Section 3.2 - Section 3.2.2 and Appendix D - Exhibit 4 - Section 3.3.1 - Section 3.3.3 - Section 3.3.4 - Section 3.3.5 <p>(* since Group "B" projects may commence in planning, preliminary design or detail design, each of these sections has been prepared to be as self-sufficient as possible)</p>
• initial notification	- Sections 3.3.3.4, 3.3.4.6, 3.3.5.5 and Appendices E and G
• final notification	- Sections 3.3.4.16, 3.3.5.7, 3.3.5.14 and Appendices E and G
• screening for documentation type	- Sections 3.3.4.2, 3.3.4.14, 3.3.5.3, 3.3.5.14 and Appendix M
• Environmental Study Report (ESR)	- Sections 3.3.4.2, 3.3.4.14, 3.3.5.14 and Appendix M
• Reduced Documentation Letter (RDL)	- Sections 3.3.4.2, 3.3.4.14, 3.3.5.14 and Appendix M
• environmental study files	- Appendix M
• "environmental clearance"	- Section 3.4
• 3 year and 5 year project review	- Section 3.7
• Group "C" projects <ul style="list-style-type: none"> • list of Group "C" projects • screening 	<ul style="list-style-type: none"> - Chapter 4 - Section 4.1 - Section 4.2
• Group "D" activities	- Chapter 5

The appendices provide information about a number of tools used when addressing environmental requirements. The following information is of particular interest:

- Public consultation process - Appendix E
- Contact lists - Appendix F
- Sample notices / letters - Appendix G
(a disc of the generic notices /
letters is available from the
Environmental Office)
- Public information centres - Appendix H
- ESR - Appendix M
- RDL - Appendix M
- Freedom of Information and Protection of Privacy Act - Appendix I
- French Language Services Act - Appendix I
- First Nation Consultation - Appendices E and I

1.4 OTHER ENVIRONMENTAL ASSESSMENT CONSIDERATIONS

1.4.1 Federal Environmental Assessment Requirements

MTO projects may be subject to federal environmental assessment requirements if certain conditions are met. Appendix A provides a brief discussion of federal environmental assessment requirements and a description of how the federal EA process could be triggered.



CHAPTER 2 - PROJECT EA CLASSIFICATION / RECLASSIFICATION

2.1 PROJECT INITIATION AND IDENTIFICATION OF NEED

The project initiation stage refers to the identification of specific projects and the appropriate EA requirements for inclusion on the Multi-Year Capital Construction Program. Exhibit 1 identifies the basic steps in the project initiation stage as well as the relationship of this stage to the overall Class EA process. The detailed flowchart of the Class EA process for Group "B" projects is included as Exhibit 4 and is addressed in Chapter 3.

Specific projects are identified by internal and / or external initiatives. Usually a combination of initiatives provides the basis. Although normally there is little environmental input and no specific environmental requirements during the identification of projects, one should be aware of the available information sources used when identifying projects since they in turn can:

- provide background information for consideration when determining the EA classification;
- affect the subsequent environmental considerations / context / approvals of the project;
- provide background information when addressing need and justification in more detail later in the project.

Examples of initiatives include:

Internal Initiatives

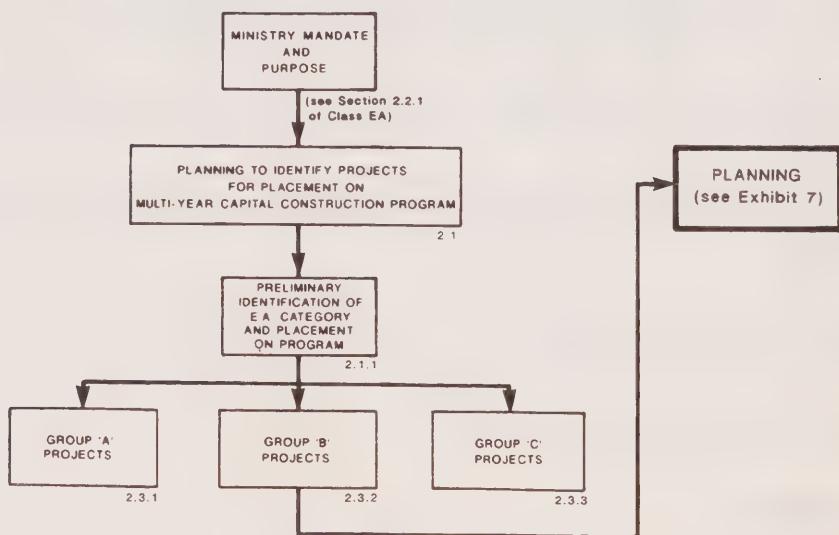
- highway inventory
- area studies / area network study reports
- ministerial initiative
- deficiencies as identified in:
 - highway assessment study
 - traffic studies / projections
 - pavement condition reports
 - structural condition reports
- environmental conditions - for example, noise levels

PROJECT INITIATION STAGE



BASIC STAGES IN A PROJECT - FOR DETAILED FLOW CHART OF CLASS E.A. PROCESS SEE EXHIBIT 4

DETAILED STEPS IN PROJECT INITIATION



For Legend see Exhibit 4

External Initiatives

- other provincial agencies / ministries
- other government agencies - for example, municipal, federal
- interest groups
- public
- developers

In addition, the MTO Provincial Planning Office is charged with the responsibility of preparing Area Network Plans. These Area Network Plans will examine broad transportation needs for both people and goods over a 30 year time horizon. The plans will consider all modes of transportation including road, rail, air, transit, water, bicycle and pedestrian and recommend how they can best work together as a single integrated transportation system. Area Network Plans will look at transportation in conjunction with economic, environmental, social and land use objectives. As of March 1993, one Area Network Plan had been initiated.

The method of addressing Area Network Plans and environmental assessment is currently under review.

2.1.1 Justification Report

A Justification Report is prepared for every project on the Multi-Year Capital Construction Program. This report documents the identification of the problem and the coarse overview of alternative solutions, and identifies the preliminary EA category (see Section 2.3). It is prepared for review and approval within MTO only.

The Regional Environmental Unit is consulted during the preparation of a Justification Report for each capital construction project to:

- provide the preliminary provincial EA classification (based on the initial description of the project and available information);
- identify the type of documentation that will likely be required (including the potential for reduced documentation);
- provide a preliminary identification of environmental constraints and approvals.

Where a project is identified as a result of an environmental issue (for example, noise), then the Justification Report may be prepared by the Regional Environmental Unit.

It should be noted that the EA classification is an initial classification only and should be reviewed during the course of the project. It may be subject to change should environmental conditions and / or the project scope change.

Guidelines for the preparation of a Justification Report are provided in Provincial Highways Directive B-125. The proposed wording for the identification of the preliminary EA classification is provided in Section 1.0 of Appendix N.

2.2 PROPOENCY

Where someone other than MTO identifies the need for a project, then proponency and the environmental process to be followed may become an issue. Where possible, this should be addressed and resolved early in the study process.

Guidelines for addressing proponency issues related to MTO, municipal and / or private undertakings, are included in Appendix B.

2.3 EA CLASSIFICATION

In applying the requirements of the provincial EA Act to highway projects, four groups or types of projects and/or activities have been identified by MTO. These are described in the following sections while Exhibit 2 shows the EA requirements for the different types of projects and/or activities. The initial EA classification is very important since it determines the manner in which the project will be carried out.

When classifying a project, the following should be noted:

- the classification system does not address federal approval requirements which are, therefore, in addition (see Appendix A). This is of particular note for Group "C" projects.
- with the revised Class EA, a formal subgroup classification or subcategory is not required for Groups "B", "C" and "D". However, it may be helpful to use a subgroup classification to identify a project and / or its components.
- where a project consists of a number of smaller projects, the classification "defaults" to the higher order of group except for Group "D" activities. Whether Group "D" activities are carried out on their own or as part of the Group "A", "B" or "C" project, they are classified on their own.

**PROVINCIAL HIGHWAYS AND ASSOCIATED FACILITIES
PROJECT GROUPS AND EA REQUIREMENTS**

Project Group	EA Process	Formal EA Documentation	EA Approval
Group "A" Projects • new highways	Individual environmental assessment with approval Individual environmental assessment with exemption	Environmental Assessment Report (EAR)* Environmental Status Statement (ESS)*	EA Report submitted to MOEE and subject to individual review and approval Exemption Order
Group "B" Projects (Chapter 3) • realignments • improvements to existing highways and freeways • new interchanges or modifications to interchanges • new or modified water crossing / watercourse alterations • new highway service facilities	Subject to MTO Provincial Highways Class Environmental Assessment process	Environmental Study Report (ESR) or Reduced Documentation Letter (RDL)	Projects approved subject to compliance with Class EA process including submission of ESR / Reduced Documentation Letter to MOEE for 45 day public review period
Group "C" Projects (Chapter 4) • general maintenance and rehabilitation activities, operational improvements and property management	Subject to screening for environmental effects	None required	Projects approved with approval of MTO Class EA
Group "D" Activities (Chapter 5) • waste and excess materials management • emergency response • aggregate extraction	Subject to compliance with other environmental legislation and requirements	None required	Activities approved with approval of MTO Class EA

(Exhibit modified from parent Class EA document)

* Design and Construction Reports also prepared.

- where there are a number of Group "C" projects, which together form a complex undertaking, it may be appropriate to consider categorizing the work as a Group "B".
- where there are "gray areas" in categorizing a specific project, one should discuss this with the Regional Environmental Unit supervisor. Some examples of the differences between Group "B" and "C" projects are provided in Sections 3.2 and 4.1.
- where the project appears to be a new work not specifically identified in the Class EA, and it is not clear in what group it would be, the Environmental Office should be contacted.

2.3.1 Group "A" Projects

Projects in this group involve the construction of new highways where no highway previously existed. They are major and complex projects with a range of environmental effects. An individual environmental assessment report is prepared for each project and is subject to individual review and approval under the provincial EA Act. These projects may not proceed until approval has been received from the Ministry of the Environment and Energy (MOEE). Neither the parent Class EA nor the Class EA Process Manual address Group "A" projects. They are addressed in other MTO environmental policy and procedural guidelines.

2.3.2 Group "B" Projects

Group "B" projects include realignments, improvements to existing highways and freeways, interchanges, water crossings and watercourse alterations, and new highway service facilities. As distinct from Group "A" projects, Group "B" projects are generally similar in nature, recur frequently and have a generally predictable range of environmental effects for which standard mitigation can be used.

These projects are approved under the provincial EA Act subject to compliance with the approved Class EA process. In other words, these projects can be implemented without having to seek further approvals under the provincial EA Act provided that the process described in the Class EA document is followed. Provision is made to enable the reclassification or "bump-up" of these projects to individual environmental assessment (see Section 2.4).

Projects included in this group are described in detail in Section 3.2.

2.3.3 Group "C" Projects

Group "C" projects generally involve operation and maintenance, rehabilitation activities, operational improvements and property management or other minor program activities associated with existing highways and associated facilities. They are undertaken for the safety, comfort and convenience of the users of, or people affected by, the provincial highway system or for the maintenance of the system. With the approval of the Class EA, Group "C" projects are approved under the provincial EA Act subject to screening for environmental effects. It should be noted, however, that federal EA requirements may have to be addressed (see Appendix A).

An environmental screening process for projects in this group is used to identify environmental sensitivities and mitigating measures (See Section 4.2).

Projects included in this group are listed in Chapter 4.

2.3.4 Group "D" Activities

Group "D" activities include waste and excess materials management, emergency response and aggregate extraction activities. Included in this group are activities associated with MTO undertakings which, as a result of controls imposed by other environmental legislation and requirements, generally meet the intent of the EA Act. In order to avoid duplication of the assessment of environmental effects and mitigation, these activities are not subject to provincial EA Act approval when associated with Group "A", "B" or "C" projects.

Therefore, with approval of the Class EA, these activities are approved under the provincial EA Act, subject to compliance with other environmental legislation and requirements.

Activities in this group are discussed in Chapter 5.

2.4 RECLASSIFICATION / "BUMP-UP" PROVISIONS

MTO can reclassify a project. Reclassification scenarios are discussed in Appendix C.

MTO can reclassify a project from:

- a Group "B" project to a Group "A" project or vice versa
- a Group "C" project to a Group "B" project or vice versa
- a Group "C" project to a Group "A" project (very unusual)

Reasons for reclassifying a project include:

- where the nature of the scope of the project changes;
- where major environmental concerns are identified (either by MTO or others) as the project develops;
- in response to concerns expressed by external agencies and / or the public.

The need for a reclassification can be identified by either the project manager or the environmental planner. In either case it is brought to the attention of the Regional Environmental Unit supervisor who reassigned the EA classification. A sample reclassification memo is provided in Appendix G.

The reclassification of a specific Group "B" project to a Group "A" project may be requested by affected individuals, groups or government agencies. **When the reclassification request is made by someone outside of MTO, it is referred to as a "bump-up" request.** The formal process for addressing a "bump-up" request is discussed in Appendix C.

CHAPTER 3 - GROUP "B" PROJECTS - CLASS EA PROCESS

3.1 INTRODUCTION

This section describes Group "B" projects and provides direction as to how the environmental requirements of the Class EA process are addressed.

When reviewing the Class EA process with parties outside of MTO (for example, external agencies, interest groups, the public) the parent Class EA should be the document to which reference is made.

3.2 DESCRIPTION OF GROUP "B" PROJECT TYPES

Group "B" projects include the following subgroup classifications or subcategories:

- a) realignments;
- b) improvements to existing highways and freeways;
- c) new interchanges on an existing highway or modifications to existing interchanges;
- d) new or modified water crossings and watercourse alterations; and
- e) new highway service facilities.

It should be noted that highways refer to all provincial road facilities under the jurisdiction of the MTO namely, King's highways (including the QEW and 400 series, i.e. freeways), secondary highways, and tertiary roadways.

When classifying a project, one should also refer to Section 2.3 (EA Classification).

To assist in determining whether a project is a Group "B" or a Group "C" and / or to make a judgement for those projects that appear to be in a "gray area", one should also refer to the detailed list of Group "C" projects in Section 4.1 and the discussion of alternatives in Appendix D.

a) Realignments

A realignment is defined as the replacement or upgrading of an existing highway on a new or revised alignment. It includes projects which were previously identified as major and minor realignments and bypasses. Major realignments and bypasses were formerly Group "A" projects while bypasses were Group "B" projects. Under the new Class EA, realignments will likely be

among the most complex Group "B" projects, see Section 3.3.1 re: project complexity. A realignment would be considered where reconstruction, widening or twinning of the highway has unacceptable environmental effects and/or does not meet acceptable engineering objectives (for example, transportation needs, design standards etc.).

b) Improvements to existing highways and freeways

Projects in this group include:

- the addition of through traffic lanes (by widening or twinning);
- adjustments to alignment, grade and cross-sections of highways and freeways;
- modifications to the horizontal and vertical alignments and cross-sections of service roads and municipal roads adjacent to existing facilities; and
- addition of new service roads.

The widening of highways by the addition of through traffic lanes most frequently involves the addition of one or more lanes to a two-lane facility. However, Group "B" projects also include the widening of larger highway facilities and freeways by the addition of one or more through traffic lanes.

Adjustments to alignment, grade and cross-sections do not necessarily involve the addition of through traffic lanes over the length of the project. Improvements may include widening the roadbed, pavement or shoulders, improving drainage and ditches, realigning curves, modifying the grade, improving intersections, and the addition of medians or median barriers. The majority of these projects are implemented within the existing right-of-way. However, in some situations, such as steep topography, where significant geometric improvements are required to bring the highway up to provincial standards, adjustments to alignments and grades could result in significant shifts to the centreline of the road that result in the need for additional property.

Service roads are usually built parallel to freeways in order to intercept, collect and distribute local traffic and to provide access to property which might otherwise be isolated as a result of the control of adjacent access. As improvements are made to freeways, associated facilities such as service roads, may be added or may require modification or improvement. As well, improvements to highways and associated facilities may necessitate modifications to adjacent municipal roads.

It should be noted that normal operation and maintenance and minor improvements are considered to be Group "C" projects (see Chapter 4).

c) *New interchanges on an existing highway or modifications to existing interchanges*

Projects in this group include:

- *major modification or redesign of existing interchanges;*
- *new interchanges to replace existing intersections, existing interchanges or grade separations; and*
- *new interchanges at new locations for existing or approved crossing roads.*

It should be noted that a grade separation is a Group "C" project.

d) *New or modified water crossings and watercourse alterations*

Projects in this group include:

- *new and replacement water crossings;*
- *significant modifications to existing water crossings;*
- *significant modifications to existing watercourses; and*
- *ferry crossings, including the operation of the boat, plus construction of associated docking facilities, navigational aids and approaches and parking facilities. This refers to new facilities and major modifications to existing facilities.*

A water crossing is considered to be a culvert, bridge, tunnel, causeway or ferry, crossing naturally-occurring surface drainage features such as lakes, swamps, marshes, bays, rivers, streams or man-made drainage facilities such as ditches, canals and municipal drains.

A watercourse alteration is where an existing watercourse is modified or realigned as a result of the need to accommodate installation of a water crossing structure or an anticipated or real increase in flow velocity or quantity. It is often an integral part of water crossing work.

Water crossing and watercourse alteration projects are often carried out in conjunction with other projects, such as road widenings or realignments. In such cases, the environmental study for water crossing and watercourse alteration work and subsequent documentation will likely be completed as a component of the environmental study carried out for the overall project.

It should be noted that structural maintenance and repairs below normal water level are considered to be a Group "B" project. As well, temporary water crossings (even those to accommodate a Group "C" project) are considered to be a new water crossing, i.e. a Group "B" project.

If the work is minor in scale, it can be classified as normal drainage maintenance (Group "C" projects). However, if changes to the channel are planned, which would result in significant environmental effects, this type of work would be undertaken as a Group "B" project.

Since normal maintenance work is included on the Group "C" project list (see Chapter 4), the following are considered to be Group "C" not Group "B" projects:

- *The replacement or upgrading of culverts in watercourses which are intermittent (i.e. stop flowing at some time during the year), are considered to be normal maintenance when undertaken on their own or in conjunction with other Group "C" projects.*
- *The replacement of existing culverts on permanently flowing streams where the use, function, capacity and location are to remain the same, is considered to be a maintenance activity.*

e) New highway service facilities

Highway service facilities are provided for the maintenance of highways, regulation of highway users and the safety, and the comfort and convenience of the highway users. In defining highway service facilities, all aspects of site development are included, for example, acceleration and deceleration lanes. Specific projects include the construction of:

- *patrol yards, including buildings (office, garage), fuel tanks, storage domes for sand and salt, material stockpiles, vehicle parking and storage, access roads and entrances;*
- *truck inspection stations, including buildings, weigh scales, parking areas, ramps and storage area;*
- *winter maintenance facilities, including facilities for de-icing chemicals and which may include a garage, fuel pumps and storage buildings;*
- *major rest areas, major commuter parking lots and major travel information centres;*
- *service centres; and*
- *major expansion or modification of any of the foregoing resulting in a significant change of purpose, use or capacity.*

It should be noted that improvements to and rehabilitations of existing patrol yards, truck inspection stations and service centres, and the establishment of minor rest areas are considered to be Group "C" projects (see Chapter 4).

3.2.1 Purpose of Group "B" Projects

Section 3.1.1 and Appendix B of the parent Class EA address the purpose of Group "B" projects and reasons for implementing them in a general manner. At the outset of a specific project, however, the project-specific purpose is addressed and defined.

3.2.2 Alternatives

The consideration of alternatives is a requirement of Section 5(3) of the EA Act. Separate sets of alternatives are considered at various stages in the decision-making process as a project (i.e. an undertaking) progresses through the planning, preliminary design and detail design stages. Generally, alternatives considered during the planning stage are referred to as "alternatives to the undertaking" while those considered during the preliminary design and detail design stages generally relate to the "alternative methods (or ways) of carrying out the undertaking". Usually "alternative methods of carrying out the undertaking" are identified during preliminary design and then refined during detail design.

The Class EA addresses generic "alternatives to" and "alternative methods of carrying out the undertaking." The range of typical "alternatives to" and "alternative methods" for the five main types of Group "B" projects are summarized in Exhibit 3 in this manual and described in detail in Appendix D.

In addition, where possible and as appropriate, a range of reasonable "alternatives to" and / or "alternative methods" specific to a project are addressed. The alternatives assessed in specific Group "B" projects vary depending on the location, type and complexity of the project. Again, this is assessed on a project-by-project basis.

It should be noted that "alternatives to the undertaking" and "alternative methods of carrying out the undertaking" have to be addressed for the components of Group "B" projects, where appropriate. For example, where a road widening includes a new water crossing, "alternatives to" and "alternative methods" should be addressed for both the road widening and the water crossing.

3.2.3 Project Rationale

Section 3.1.3 of the parent Class EA notes that Group "B" projects are undertaken to resolve the identified problems / opportunities while weighing the advantages and disadvantages. For more complex Group "B" projects (see Section 3.3.1 of the manual), the rationale will have to be addressed in more detail.

3.3 STUDY PROCESS

To fulfil the requirements of the Class EA, the compulsory administrative requirements of the process are:

- initial notification - mandatory (see Sections 3.3.3.4, 3.3.4.6, 3.3.5.5 and Appendices E and G)
- final notification - mandatory (see Sections 3.3.4.16, 3.3.5.7, 3.3.5.14 and Appendices E and G)
- documentation:
 - Environmental Study Report (ESR) - Sections 3.3.4.2, 3.3.4.14, 3.3.5.14 and Appendix M
 - Reduced Documentation Letter (RDL) - Sections 3.3.4.2, 3.3.4.14, 3.3.5.14 and Appendix M
- environmental study files (see Appendix M)
- environmental clearance (see Section 3.4)
- 3 year and 5 year project review (see Section 3.7)

The basic steps in the study process for specific Group "B" projects are:

- planning
- preliminary design
- detail design

While the approved Class EA process culminates in project "environmental clearance", subsequently, during project construction, operation and maintenance, any commitments made earlier in the process have to be adhered to, for example, monitoring.

Exhibit 4 shows the steps in each stage of the Class EA process for Group "B" projects..... It should be noted that there is the opportunity for flexibility within the process in order for it to be responsive to the needs of each specific project while ensuring that the requirements of the Class EA are met. The manner in which a project proceeds through the process is a reflection of its level of complexity (see Section 3.3.1).

TYPICAL "ALTERNATIVES TO" AND "ALTERNATIVE METHODS"

REALIGNMENTS	IMPROVEMENTS TO EXISTING HIGHWAYS AND FREEWAYS	NEW OR MODIFIED INTERCHANGES	WATERCOURSE CROSSINGS AND WATERCOURSE ALTERATIONS	HIGHWAY SERVICE FACILITIES
"ALTERNATIVES TO THE UNDERTAKING" (Considered during the planning stage)				
<ul style="list-style-type: none"> Do nothing Alternative modes (road, transit, rail, water, air) Alternative road solutions: <ul style="list-style-type: none"> traffic management diversion of traffic to other roads correction of a deficiency elsewhere in the system improvement to the existing facility closure of the existing facility realignment new highway 	<ul style="list-style-type: none"> Do nothing Alternative modes (road, transit, rail, water, air) Alternative road solutions: <ul style="list-style-type: none"> traffic management diversion of traffic to other roads correction of a deficiency elsewhere in the system improvement to the existing facility closure of the existing facility grade separation / at-grade intersection / new interchange 	<ul style="list-style-type: none"> Do nothing Alternative road solutions: <ul style="list-style-type: none"> traffic management diversion of traffic to other roads correction of a deficiency elsewhere in the system improvement to the existing facility closure of the existing facility grade separation / at-grade intersection / new interchange 	<ul style="list-style-type: none"> Do nothing Alternative modes (road, water) Alternative water crossing solutions: <ul style="list-style-type: none"> traffic management diversion of traffic to other roads correction of a deficiency elsewhere in the system improvement to the existing facility closure of the existing facility grade separation / at-grade intersection / new interchange 	<ul style="list-style-type: none"> Do nothing Alternative solutions: <ul style="list-style-type: none"> increase capabilities of existing facilities provision of mobile or temporary facilities new facility
"ALTERNATIVES METHODS OF CARRYING OUT THE UNDERTAKING" (Considered during the planning stage)				
<ul style="list-style-type: none"> Do nothing Alternative routes 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Do nothing Alternative interchange locations 	<ul style="list-style-type: none"> Not applicable 	<ul style="list-style-type: none"> Do nothing Alternative site locations
"ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING" (Considered during the preliminary design stage then refined during detail design stage)				
<ul style="list-style-type: none"> Alternative design features: <ul style="list-style-type: none"> horizontal alignment vertical alignment cross-section intersection / interchange requirements structural requirements including culverts, bridges, etc. other requirements e.g. illumination, signing, staging, construction materials etc. 	<ul style="list-style-type: none"> Alternative design features: <ul style="list-style-type: none"> horizontal alignment vertical alignment cross-section intersection / interchange requirements structural requirements including culverts, bridges, etc. other requirements e.g. illumination, signing, staging, construction materials etc. 	<ul style="list-style-type: none"> Alternative design features: <ul style="list-style-type: none"> location of ramps geometrics structure type staging other requirements 	<ul style="list-style-type: none"> Alternative design features: <ul style="list-style-type: none"> culverts bridges causeway channel design combination of the foregoing other requirements 	<ul style="list-style-type: none"> Alternative design features: <ul style="list-style-type: none"> physical plant design other requirements

PROJECT INITIATION
(SECTION 2.1)

PLANNING
(SECTION 3.3.3)

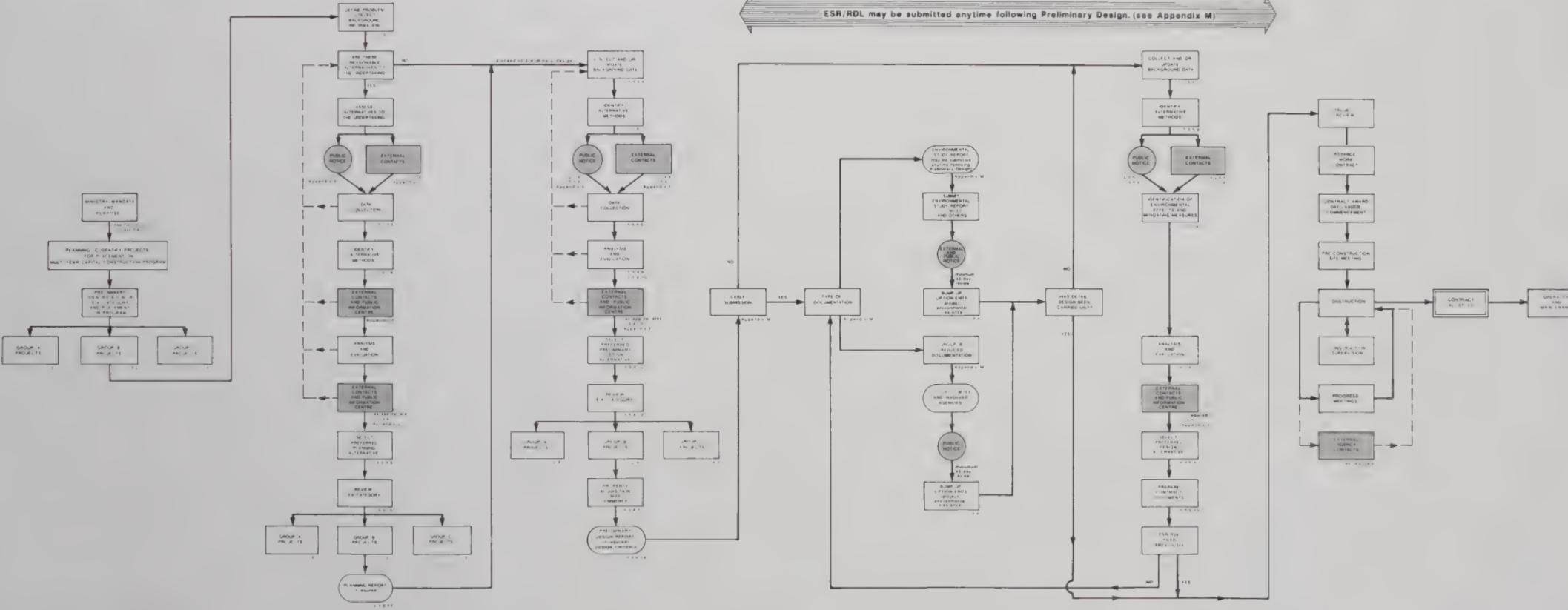
PRELIMINARY DESIGN
(SECTION 3.3.4)

DETAIL DESIGN
(SECTION 3.3.5)

IMPLEMENTATION
(CONSTRUCTION)
(SECTION 3.5)

OPERATION AND MAINTENANCE
(SECTION 3.6)

**MINISTRY OF TRANSPORTATION
CLASS ENVIRONMENTAL ASSESSMENT PROCESS
(GROUP 'B' PROJECTS)**

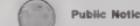


NOTE : THIS IS THE FULL PROCESS AND NOT ALL STEPS APPLY TO EVERY PROJECT. (see Section 3.3.1)
ALL REFERENCES ARE TO THE MANUAL.

LEGEND

—> Full Process

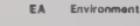
—> Possible Process



Public and External Contact Involvement



Action



EA Environmental Assessment

ESR Environmental Study Report

RDL Reduced Documentation Letter

Since the level of complexity can vary amongst projects resulting in projects starting at different stages in the process, the sections in the manual which address the planning stage, the preliminary design stage and the detail design stage have been prepared to be as self-contained as possible. Therefore, after reviewing Section 3.3, one can proceed to review the section(s) which is (are) applicable to the stage(s) for the specific project being carried out. For example, if one is carrying out a detail design study, after completing the review of Section 3.3 one can proceed directly to Section 3.3.5 - Detail Design Stage.

Notification and external and public consultation are addressed in the subsequent sections. Appendix E, however, provides an overview of the consultation process and should be read in conjunction with any of the following sections.

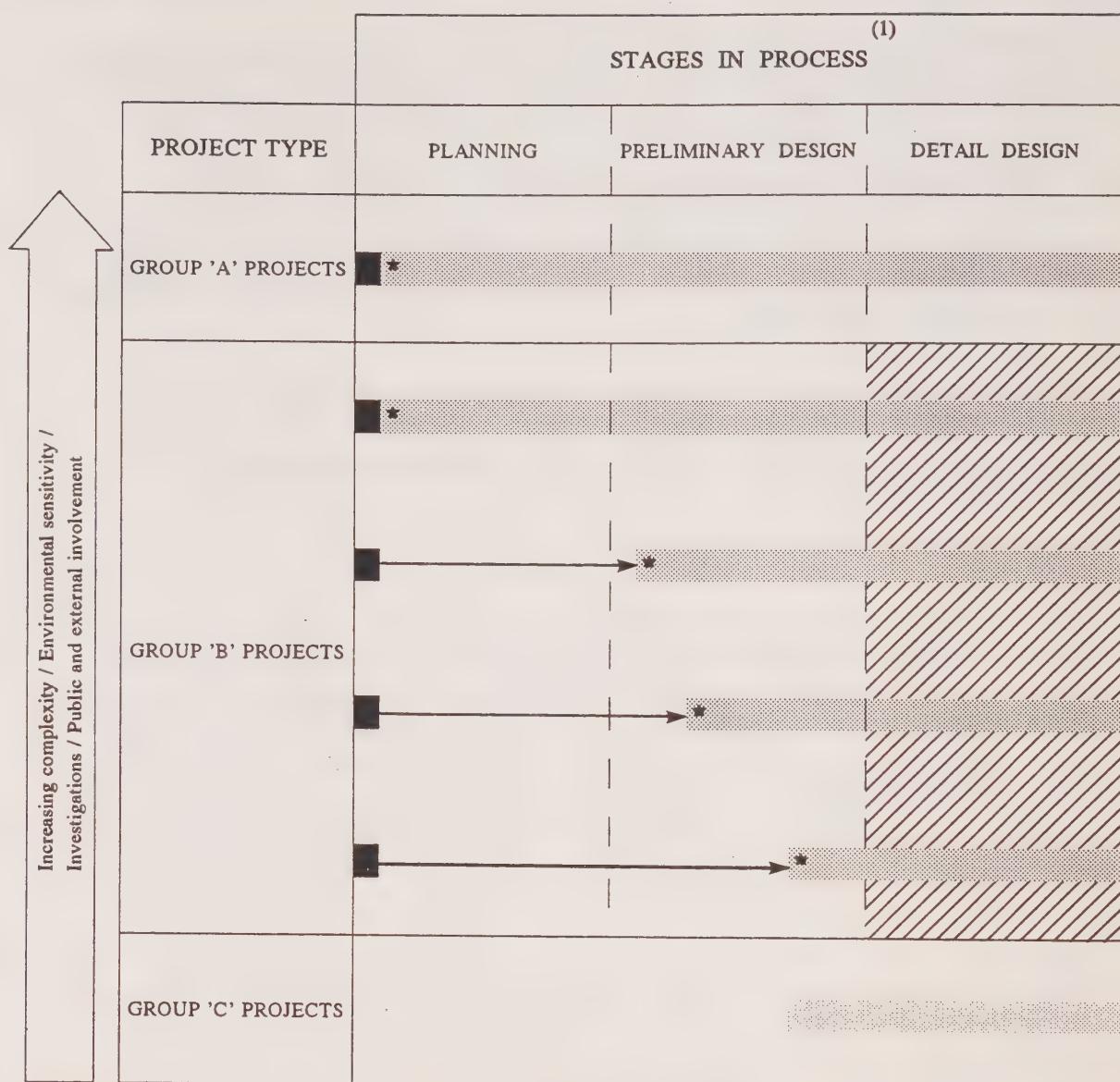
3.3.1 Assessment of Project Level of Complexity

The "level of complexity" is an important consideration since it, in turn, affects the study process. It is a tool for 'scoping' the manner in which a project will be carried out. The level of complexity usually relates to the nature of the deficiency being addressed, level of investigations, environmental sensitivity and public and external involvement. It affects the degree to which each activity within each stage of the process is addressed, as well as the need to repeat any of the activities as a project proceeds through the planning, preliminary design and detail design stages. Whatever the nature of the project, however, it must be carried out in a manner to ensure that the needs of the project and the approved Class EA process are met.

For example, very complex Group "B" projects may approach the complexity associated with a Group "A" project and require extensive investigations for each study activity and a number of public information centres. On the other hand, other Group "B" projects may be similar to Group "C" projects in their lack of complexity and require a reduced amount of investigation to ensure that the needs of the project and process are addressed. Exhibit 5 conceptually shows the varying levels of complexity of Group "B" projects as compared to Group "A" and "C" projects.

It should be noted that, where there are no reasonable alternatives to the undertaking (modal), a project may proceed either to alternative methods (for example, routes) or directly to the preliminary design stage. The latter applies to the majority of Group "B" projects. Wherever a project starts in the process, initial notification is mandatory. It usually occurs after some initial work (for example, collection of background data, preliminary identification of alternatives) has been done.

RELATIONSHIP OF GROUP 'B' PROJECTS TO "LEVEL OF COMPLEXITY" AND STAGES IN THE GENERAL PROCESS



LEGEND



Initial assessment of 'alternatives to' (see Sections 3.3.1, 3.3.3.2)



Initial public notice



Ongoing phases during the study when external agencies and the public are consulted.
It normally also includes inventorying data; developing/refining alternatives; analyzing effects.



Contacts made as needed.



Environmental Study Report and final notice or Reduced Documentation Letter
may be submitted at any time following preliminary design.

(1)

Time gaps between the stages may occur in some studies.

3.3.1.1 COMPLEXITY SCREENING CRITERIA

Level of complexity is determined by using a screening process as shown in Exhibit 6. The screening process includes a range of "complexity screening criteria" which are addressed in the context of the principles and guidelines discussed in Appendix R. Any factor in Exhibit 6 with a "yes" or "high" response will require an increased level of effort. A small number of "yes" or "high" responses indicates that the project may be a candidate for reduced documentation (see Appendix M). A large number of "yes" or "high" responses would indicate the need for an overall increased level of effort throughout the study and could possibly lead to a reclassification of the project.

Although the level of complexity is initially addressed at the outset of the project, it is reassessed on an ongoing basis over the duration of a project and may be assessed differently at different stages, for example, due to changes in the relative importance of the environmental consideration, additional information and public and external consultation. By considering the screening criteria throughout the life of a project, this aids in determining the actions to be taken. As well, the degree to which a project goes through each step in the process is altered by the nature of the answers to the screening criteria.

It is therefore important to note that Exhibit 6 is not intended to be all-inclusive, used as a "checklist" or used only once during a project. Rather the screening criteria is a dynamic tool which aids in carrying out the project and addressing its needs as well as those of the Class EA process. In essence the determination of level of complexity and its ongoing assessment is an inherent function of the management of the project.

No documentation of the application of the screening process identified in Exhibit 6 is required.

3.3.2 Terms of Reference and Study Design

Depending on the nature of a project, a terms of reference, a study design and / or a Project Appraisal Report may be prepared at the outset of a project. During the preparation of the foregoing, the project manager contacts the environmental planner to obtain the most up to date information regarding environmental requirements and any other necessary material. As well, the environmental planner advises the project manager of any known project-specific environmental issues and may be requested to provide any related information.

COMPLEXITY SCREENING CRITERIA FOR GROUP 'B' PROJECTS

COMPLEXITY SCREENING CRITERIA <i>(Should be read in conjunction with Section 3.3.1 and in the context of the principles and guidelines discussed in Appendix R)</i>	LEAST COMPLEX PROJECTS	→	MOST COMPLEX PROJECTS
<u>Overview</u>			
• Do viable "Alternatives To" Exist?	NO		YES
• Do a number of "Alternative Methods" exist?	NO		YES
• Likelihood that the project will be controversial?	LOW		HIGH
• Likelihood that "Bump-up" requests could be generated?	LOW		HIGH
<u>Natural Environment</u>			
• Are there known / potential sensitivities?	NO		YES
• Likelihood of significant effects?	LOW		HIGH
• Will a high level of mitigation be required?	NO		YES
<u>Social Environment</u>			
• Are there known / potential sensitivities?	NO		YES
• Likelihood of significant effects?	LOW		HIGH
• Will a high level of mitigation be required?	NO		YES
<u>Economic Environment</u>			
• Are there known / potential sensitivities?	NO		YES
• Likelihood of significant effects?	LOW		HIGH
• Will a high level of mitigation be required?	NO		YES
<u>Cultural Environment</u>			
• Are there known / potential sensitivities?	NO		YES
• Likelihood of significant effects?	LOW		HIGH
• Will a high level of mitigation be required?	NO		YES
<u>Public Involvement</u>			
• Likelihood of provincial or regional interest group concerns?	LOW		HIGH
• Likelihood of local interest groups concerns?	LOW		HIGH
• Likelihood of individual concerns?	LOW		HIGH
<u>Property Effects</u>			
• Will property be required?	NO		YES
• Expected significance of property effects?	LOW		HIGH
<u>External Agency Involvement</u>			
• Likelihood that federal agencies will have concerns?	LOW		HIGH
• Likelihood that provincial agencies will have concerns?	LOW		HIGH
• Likelihood that municipalities will have concerns?	LOW		HIGH

Where a consultant is retained to assist MTO in carrying out a project, terms of reference are prepared to provide guidance to the consultant. The requirements for environmental factors and any environmental process issues must be addressed and incorporated into the terms of reference. The Regional Environmental Unit will be involved in the preparation of the environmental component of the terms of reference and in the consultant selection process.

For the more complex Group "B" projects, a study design will be prepared. It must adequately address the environmental needs of the project, i.e. the requirements for addressing environmental factors and any environmental process issues. The Regional Environmental Unit will be involved in the environmental component of the study design.

The general environmental issues are:

Environmental Factors

- natural
- social / health
- economic
- cultural
- applied, for example, stormwater quantity and quality; erosion and sedimentation control; management of excess materials sustainable development

Environmental Process

- external agency contacts
- public consultation

The details of the foregoing can be developed by reviewing terms of reference and study designs prepared for other similar studies in conjunction with the general knowledge of the issues related to the project.

3.3.2.1 PROJECT APPRAISAL REPORT

If a Project Appraisal Report (PAR) is prepared, the EA classification is confirmed and any new environmental issues are identified and documented.

3.3.2.2 ENVIRONMENTAL ASSESSMENT PROPOSAL (EAP)

The preparation of an Environmental Assessment Proposal (EAP) is strongly encouraged, but not currently required by the Ministry of the Environment

and Energy, for Group "A" projects. It may be desirable to prepare an EAP for very complex or highly controversial Group "B" projects. This measure would be of assistance if there is a high possibility that the Group "B" project could be reclassified or "bumped-up" to a Group "A" project. Further, for complex or highly controversial Group "B" projects, an EAP could serve as a valuable public consultation and project scoping tool, particularly with regard to "need and justification", "alternatives to", and major "alternative methods", prior to commencement of the project. Appendix N, provides information / guidelines for the preparation of an EAP.

3.3.3 Planning Stage

During this stage, project purpose, project "alternatives to" and project rationale are addressed in determining a preferred planning alternative. *The full planning stage for a specific project is usually only required for the most complex Group "B" projects (for example, realignments). During this stage, contacts with the external agencies, municipalities, interest groups and the public are made, data gathered, effects and the need for mitigating measures identified and evaluated to the extent required to evaluate "alternatives to", a preferred solution identified and the EA category confirmed. The level of investigation reflects the level of complexity as discussed in Section 3.3.1. The detailed steps in the planning stage are shown in Exhibit 7.*

Although overall project management is the responsibility of the project manager, during the planning stage the environmental planner is responsible for ensuring that:

- appropriate initial external contacts are made and an appropriate public consultation program is identified and carried out, including initial mandatory notification (see Appendix E);
- appropriate environmental factors are identified and assessed during the collection of background data and properly incorporated into the analysis and evaluation;
- the EA classification is revisited;
- appropriate environmental documentation is prepared;
- other Class EA commitments are adhered to.

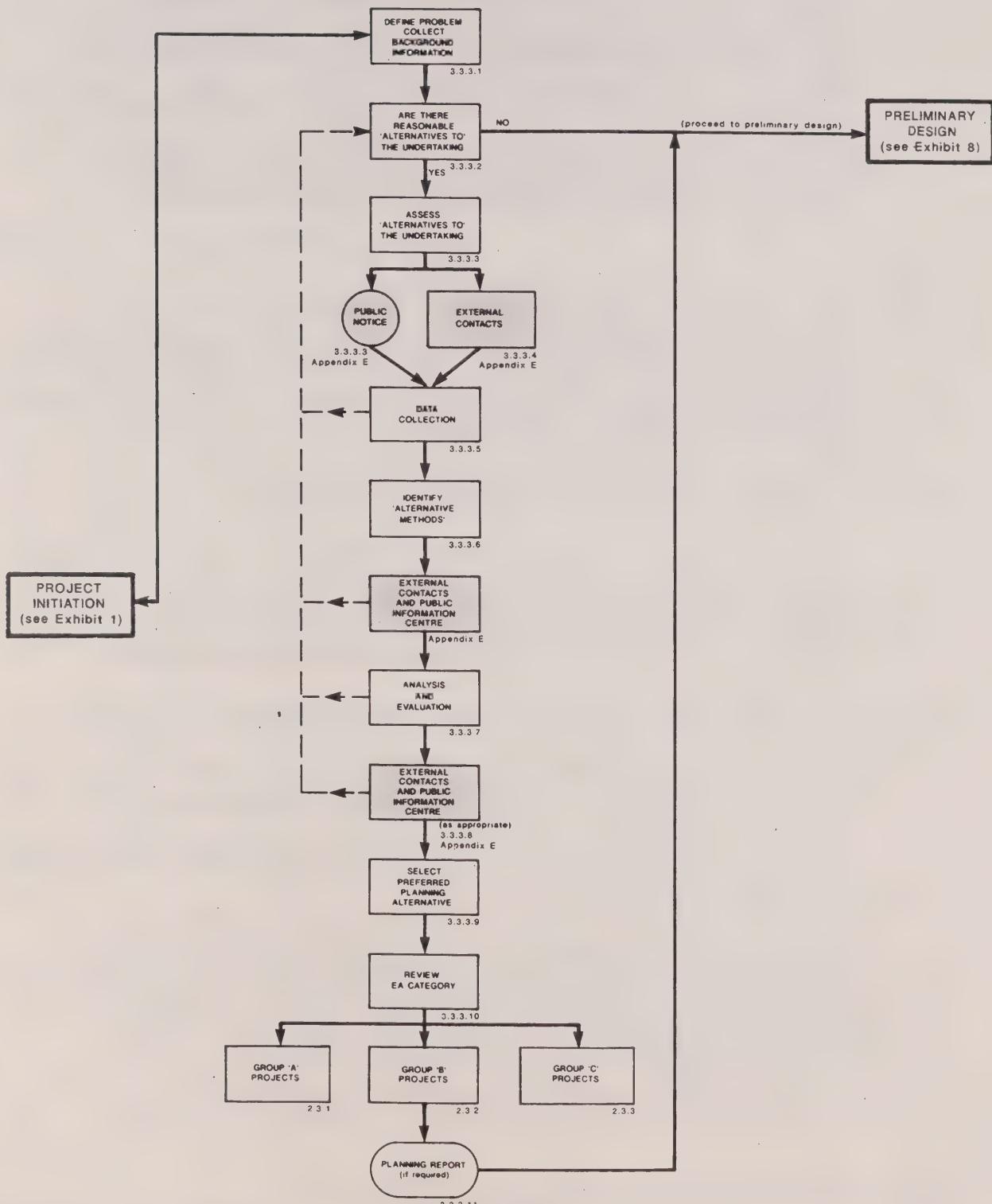
During the planning stage, the level of environmental assessment is carried out at a broad level.

PLANNING STAGE



BASIC STAGES IN A PROJECT - FOR DETAILED FLOW CHART OF CLASS E.A. PROCESS SEE EXHIBIT 4

DETAILED STEPS IN PLANNING



For Legend see Exhibit 4

Subsequently during the project, the environmental planner and / or project manager and / or contractor may be responsible for obtaining permits, authorizations or approvals under other legislation to enable project implementation. Therefore, as early as possible in the process, the environmental planner should identify which ones may be applicable and their likelihood, what appropriate action is necessary and the associated time frame since the associated requirements may affect the study. For example, some permits may have an effect on the evaluation of alternatives or may require a long lead time to acquire (for example, Part V approvals for constructing on former waste disposal sites, soil / fill management authorizations for contaminated property). Permits are identified in Appendix K.

3.3.3.1 DEFINITION OF PROBLEM / OPPORTUNITIES

At the outset of any project, the problem is defined and the available, background data are reviewed. The information contained in the Justification Report (see Section 2.1.1) provides a basis and is updated and expanded upon. General data sources are identified in Appendix J.

3.3.3.2 IDENTIFICATION OF "ALTERNATIVES TO" - PLANNING

At this stage there is an initial assessment of whether or not there are reasonable "alternatives to" the undertaking. If there are, the project continues through the planning stage. If there are not, then the project proceeds either to address alternative methods at a planning level or, to the preliminary design stage. The latter is the more usual process for typical Group "B" projects.

3.3.3.3 ASSESSMENT OF "ALTERNATIVES TO THE UNDERTAKING" - PLANNING

During this stage, the problem is defined and "alternatives to the undertaking" (see Exhibit 3) are identified Background data including information on environmental constraints are collected to assist in assessing the "alternatives to the undertaking" and selecting the preferred solution for further study. Data sources are identified in Appendix J.

The evaluation of "alternatives to" is based on a comparative analysis of environmental, engineering and cost factors which is carried out at a planning level of detail. Refer to Appendix L for information regarding evaluation methodologies. The following are taken into consideration:

- compatibility with existing and future transportation systems;

- comparative analysis of environmental effects in terms of the natural, social, economic and cultural environments;
- comparative analysis of the engineering features;
- comparative analysis of the costs of the alternatives;
- cost of mitigating measures.

The result of this evaluation becomes a major consideration in defining the study area for the consideration of alternative methods.

3.3.3.4 INITIAL MANDATORY NOTIFICATION

Initial mandatory notification is required early in the process. While the Class EA specifically refers to an initial notice, where appropriate, a letter can be used. For the public, initial notification is usually a newspaper ad, however, in some cases a letter to adjacent property owners may be appropriate in place of, or in addition to this (see Section 1.1 of Appendix E). For external agencies and municipalities, initial notification is an individual letter. Notification is discussed in Appendix E while typical contacts are included in Appendix F and sample notices / letters are included in Appendix G.

For more complex Group "B" projects, the notice of the Environmental Assessment Proposal (see Section 3.3.2.2) may be combined with the initial notice (see Appendix G for sample).

For less complex Group "B" projects which proceed quickly through the planning stage, the initial mandatory notice may also include notification of the first public information centre, where the timing is appropriate. This, however, is not the usual approach.

3.3.3.5 DATA COLLECTION - PLANNING

After the selection of the preferred "alternative to", data for environmental and engineering factors affecting the study area are collected for the "alternative methods of carrying out the undertaking" and assessed for a full range of factors to the level of detail consistent with the complexity of the project and environmental sensitivities. An inventory of natural, social, economic and cultural environmental factors is produced with data from many sources, including external agencies, the public, special interest groups, primary and secondary information and field inspections and investigations. Typical data sources are identified in Appendix J.

For each project the environmental components are scoped to determine which components are of concern and/or significant and therefore require the assessment of effects and consideration of mitigation. The scoping relates to the specific planning alternatives under consideration and is done considering input from external agencies, municipalities, interest groups and the public, and the general nature of the study area.

3.3.3.6 IDENTIFICATION OF "ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING" - PLANNING

Where applicable, alternative methods (routes, interchange locations and highway service sites) are developed, taking into consideration the background data collected for the study area. They are developed to achieve the best solution through minimizing environmental effects while meeting the engineering criteria.

It is likely that a number of public information centres could be held during the course of a complex Group "B" project. The first is held to review and receive comments regarding the "alternatives to" the undertaking, the background data collected and the preliminary identification of alternative routes. Public information centres are addressed in detail in Appendix H.

3.3.3.7 ANALYSIS AND EVALUATION - PLANNING

Both beneficial and detrimental environmental effects are identified for the alternative methods (routes, interchange locations and highway service sites) under consideration. The environmental issues are considered in the context of the principles and guidelines discussed in Appendices R and S.

The identification of environmental concerns is derived from:

- the alternatives under consideration;
- analysis of environmental information;
- public and external agency input.

In addition, there may be unusual or atypical environmental constraints that may require special attention due to the fact that they are not handled by traditional methods and therefore can be costly and require extra time to negotiate, for example, stormwater, contaminated property, excess material.

Once environmental concerns are identified, the significance of potential environmental effects is determined through consultation with external agencies and the public and in-house analysis. The determination of significance may require further research or field work.

Mitigating measures which minimize or avoid significant detrimental effects are examined. Some mitigating measures may be possible by modifying the alternative. Other mitigating measures, however, may be recommended for consideration during preliminary design or detail design, when more specific information is available, or during the implementation of the project.

The evaluation of alternative methods is based on a comparative analysis of environmental, engineering and cost factors. Evaluation methodologies are discussed in Appendix L. In general, the following factors are considered during the evaluation:

- *compatibility with existing and future transportation systems (for example, is the alternative compatible with adjacent highway segments and does it fulfil long-range requirements on the provincial highway system?);*
- *comparative analysis of the environmental effects of alternatives on the natural, social, economic and cultural environment;*
- *comparative analysis of engineering features of the alternatives such as staging requirements, levels of service, intersection requirements, safety, and access to and from abutting properties;*
- *comparative analysis of property requirements;*
- *comparative analysis of the costs of the alternatives;*
- *cost of mitigating measures, in relation to effectiveness and significance of concern.*

3.3.3.8 EXTERNAL CONTACTS AND PUBLIC CONSULTATION

Upon the determination of a technically preferred alternative, it is reviewed with external agencies, municipalities, interest groups and the public for comment. A second public information centre usually occurs at this time. Consultation is discussed in Appendix E while public information centres are addressed in Appendix H.

3.3.3.9 SELECTION OF THE PREFERRED ALTERNATIVE METHOD - PLANNING

Following the analysis, evaluation and external / public review, the technically preferred alternative method is assessed in light of all of the comments, and either confirmed or reconsidered. Should the latter occur, additional external input may be required.

The preferred planning alternative method is that which best meets the study objectives after consideration of the advantages and the disadvantages.

3.3.3.10 REVIEW OF EA CATEGORY - PLANNING

Upon determination of the preferred planning alternative, the appropriateness of the Group "B" classification is reviewed. In the event that the nature of the project has changed, a Group "B" project may be reclassified to either a Group "A" or Group "C" category. The screening criteria discussed in Section 3.3.1.1 and shown in Exhibit 6, may be used to aid in the decision to reclassify a project. Either the project manager or environmental planner can identify the need for a reclassification. In either case it is brought to the attention of the Regional Environmental Unit supervisor who reassigns the EA classification and advises the project manager.

3.3.3.11 DOCUMENTATION - PLANNING

The planning stage is subsequently documented in the Preliminary Design Report (see Appendix N) and / or the Environmental Study Report (see Appendix M). For more complex projects or where there is a delay between the planning and the preliminary design stages, a Planning Report may be prepared in order to provide a summary of the work that was carried out, for the information of MTO staff. The information in the Planning Report would be incorporated subsequently into the Environmental Study Report. In any environmental documentation, the details of the environmental factors and consultation process (including the public and external agency concerns and how they have been addressed) must be documented in a thorough manner.

3.3.3.12 EARLY "BUMP-UP" REQUEST

There is the potential for an early "bump-up" request. If this occurs, the procedures identified in Section 2 of Appendix C should be followed. Where the concern is regarding an issue that can be addressed in the planning stage (for example, need and justification, alternatives to and alternative methods), it should be addressed and a resolution sought. Sometimes, however, the concern may be regarding an issue that will be addressed subsequently, i.e. during the preliminary design and / or detail design stages. In this case the request for a "bump-up" is likely premature. Both the person who made the request and the Ministry of the Environment and Energy - Environmental Assessment Branch should be advised of the foregoing.

3.3.4 Preliminary Design Stage

During this stage, preliminary design alternatives for the project are developed and evaluated. *Those projects, for which the initial assessment in the planning stage identified no reasonable "alternatives to", usually proceed directly to the preliminary design stage. This applies to the majority of Group "B" projects. Alternatives at this stage are examined in sufficient detail to define a location and property requirements and to ensure that it is environmentally, technically and economically feasible to construct the project.....*

During the course of carrying out the preliminary design, the level of investigation reflects the level of complexity as discussed in Section 3.3.1. In some cases, a project may have a minor preliminary design component due to a lack of alternative preliminary design methods and no effects. Those projects will therefore proceed quickly to detail design. The detailed steps in the preliminary design stage are shown in Exhibit 8.

Although overall project management is the responsibility of the project manager, during the preliminary design stage the environmental planner is responsible for ensuring that:

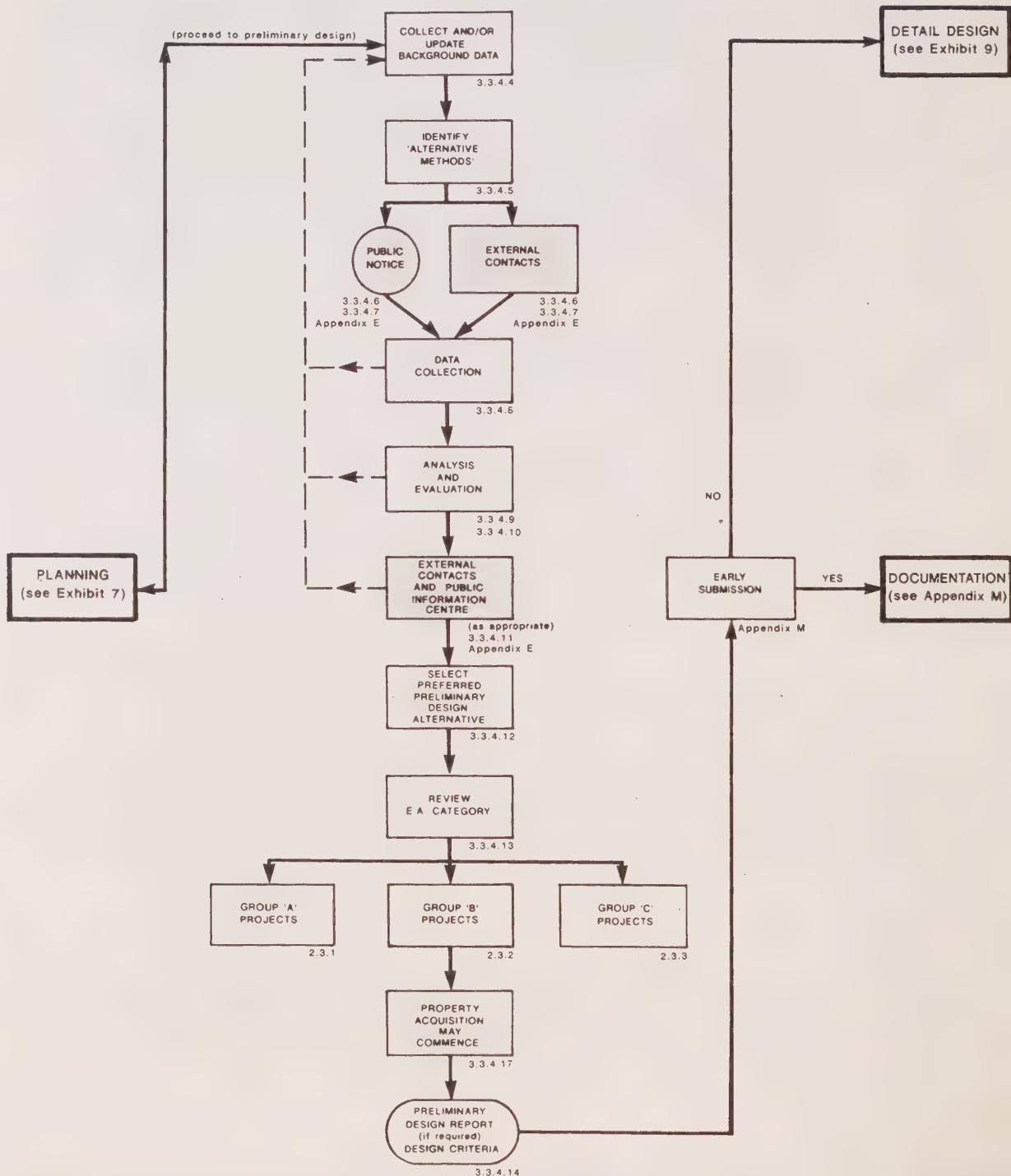
- appropriate external contacts are made and an appropriate public consultation program is identified and carried out:
 - for those projects which proceed to the preliminary design stage without initial mandatory notice occurring during planning, this is the first public notice which is mandatory (see Appendix E);
 - for projects where the initial mandatory notice was given during the planning stage, notice at this stage is optional (see Appendix E);
- appropriate environmental factors, effects and mitigating measures are identified, assessed and mitigation measures addressed in sufficient detail for the needs of this stage and properly incorporated into the analysis and evaluation;
- the EA classification is revisited;
- the project is reviewed to determine whether it should be documented in an Environmental Study Report (ESR) or if it is eligible for reduced documentation (i.e. Reduced Documentation Letter (RDL)). As well, the need for early submission of either is reviewed;

PRELIMINARY DESIGN STAGE



BASIC STAGES IN A PROJECT - FOR DETAILED FLOW CHART OF CLASS E.A. PROCESS SEE EXHIBIT 4

DETAILED STEPS IN PRELIMINARY DESIGN



For Legend see Exhibit 4

- any other appropriate environmental documentation is prepared;
- the details of the environmental factors and effects, and consultation process are included in the appropriate documentation.

Subsequently during the project, the environmental planner and / or project manager and / or contractor may be responsible for obtaining permits, authorizations or approvals under other legislation to enable project implementation. Therefore, as early as possible in the process, the environmental planner should identify which ones may be applicable and their likelihood, what appropriate action is necessary and the associated time frame since the associated requirements may affect the study. For example, some permits may have an effect on the evaluation of alternatives or may require a long lead time to acquire (for example, Part V approvals for constructing on former waste disposal sites, soil / fill management authorizations for contaminated property). Permits are identified in Appendix K.

3.3.4.1 PROJECT APPRAISAL REPORT

If a Project Appraisal Report (PAR) is prepared, the EA classification is identified and any new environmental issues are identified and documented.

3.3.4.2 PRELIMINARY REVIEW FOR ENVIRONMENTAL DOCUMENTATION TYPE AND NEED FOR EARLY SUBMISSION

Early in the preliminary design stage, a preliminary review of possible documentation type (for example, either an ESR or RDL) is carried out by the environmental planner. This is discussed in Appendix M.

Where an ESR may be required, it may be prepared and submitted to the Ministry of the Environment and Energy (MOEE) for monitoring and information purposes any time following the completion of preliminary design as long as the appropriate level of detail design is provided, where necessary, to identify environmental effects and mitigation and to confirm engineering requirements. As well, the RDL may be submitted following the completion of preliminary design.

Therefore, early in the preliminary design stage, a preliminary review is carried out by the environmental planner to ascertain the need for early submission (of the ESR or RDL) since this, in turn, can affect the manner in which the project proceeds through the process. Preliminary review for early submission is discussed in Appendix M.

3.3.4.3 DESIGN CRITERIA

An initial version of the Design Criteria is prepared during preliminary design and then subsequently detailed during the project. The environmental planner ensures that the appropriate environmental information is included, for example, EA classification, major environmental issues / constraints and design parameters.

3.3.4.4 COLLECTION AND/OR UPDATE OF BACKGROUND DATA - PRELIMINARY DESIGN

For those projects which proceeded through the full planning stage, the information which was gathered previously is reviewed to ensure that the engineering and environmental data are still current and valid. The data are updated where required. For those projects which proceeded directly to the preliminary design stage following the initial assessment of "alternatives to", background data are collected. Typical data sources are identified in Appendix J.

3.3.4.5 IDENTIFICATION OF "ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING" - PRELIMINARY DESIGN

Preliminary design alternatives are subsequently identified. As identified in Exhibit 3 and in Appendix D of this manual, these alternatives involve consideration of matters such as grades, curves, cross-sections, intersections, entrances, roadside hazards, clearances, property requirements and site selections for highway service facilities. When sufficient information has been assembled to enable the general nature of the proposed project to be described, a preliminary review of documentation type, need for early submission and the Design Criteria is carried out as discussed in Sections 3.3.4.2 and 3.3.4.3. As well, a general notice may be issued and contacts made with external agencies, municipalities, interest groups and the public.

3.3.4.6 INITIAL MANDATORY NOTIFICATION

For those projects which proceed quickly to the preliminary design stage without the initial notice occurring during the planning stage, then initial mandatory notification is required at this point in the process. While the Class EA specifically refers to an initial notice, where appropriate, a letter can be used. For the public, initial notification is **usually** a newspaper ad, however, in some cases, a letter to adjacent property owners may be appropriate in place of, or in addition to, this (see Section 1.1 of Appendix E). For external agencies and municipalities initial notification is an individual letter. Notification is discussed in Appendix E while typical contacts are

included in Appendix F and sample notices / letters are included in Appendix G.

Where a public information centre(s) is to be held and if the timing is appropriate, then it may be advertised in the initial notice. This, however, is not the usual approach.

3.3.4.7 OTHER NOTIFICATION

For those projects where the initial notification was given during the planning stage, further notice at this stage is optional. Where there is a time lag between the planning and preliminary design stages, a second notice and contact letter may be issued as a 'reminder' to the public and external agencies of the project.

3.3.4.8 DATA COLLECTION - PRELIMINARY DESIGN

Data for environmental and engineering factors are collected. Typical data sources are listed in Appendix J. An inventory of natural, social, economic and cultural environmental factors is produced with data from many sources, including external agencies, the public, interest groups, primary and secondary information and field inspections and investigations. For each project the environmental components are scoped to determine which components are of concern and/or significant and therefore require the assessment of effects and consideration of mitigation. The scoping relates to the specific preliminary design alternatives under consideration, input from external agencies, municipalities, interest groups and the public, and the general nature of the study area.

3.3.4.9 ANALYSIS OF ENVIRONMENTAL EFFECTS AND DEVELOPMENT OF PRELIMINARY MITIGATING MEASURES - PRELIMINARY DESIGN

Both beneficial and detrimental environmental effects are identified for the preliminary design alternatives under consideration. The environmental issues are considered in the context of the principles and guidelines discussed in Appendices R and S.

The identification of environmental concerns is derived from:

- the preliminary design alternatives under consideration;
- analysis of environmental information;
- public and external agency input.

In addition, there may be unusual or atypical environmental constraints that may require special attention due to the fact that they are not handled by

traditional methods and therefore can be costly and require extra time to negotiate, for example, stormwater, contaminated property, excess materials.

The preliminary design alternatives are reviewed to determine potential environmental effects resulting from the implementation of the alternative. This review leads to the identification of areas of possible constraint on the project design. For example, if the environmental concern is the removal of roadside trees, all areas where the various preliminary design alternatives would require tree removal would be noted. Once environmental concerns are identified, the significance of potential environmental effects is determined through consultation with external agencies and the public and in-house analysis. The determination of significance may require further research or field work.

Mitigating measures which minimize or avoid significant detrimental effects are examined. Some mitigating measures may be possible to implement as part of the preliminary design, for example, horizontal alignment shifts may enable a significant feature, such as a woodlot or heritage building, to be avoided. Other mitigating measures, however, may be recommended for consideration during detail design, when more specific information is available, or during the implementation of the project.

3.3.4.10 EVALUATION OF ALTERNATIVES - PRELIMINARY DESIGN

The evaluation of preliminary design alternatives is based on a comparative analysis of environmental, engineering and cost factors. Evaluation methodologies are discussed in Appendix L. In general, the following factors are considered during the evaluation:

- *comparative analysis of the more specific environmental effects of alternatives such as tree removals, community disruption, erosion potential, watercourse disturbance, alteration of aesthetics, removal of heritage features, etc;*
- *comparative analysis of engineering features of the alternatives such as staging requirements, levels of service, intersection requirements, passing opportunities, safety, access to and from abutting properties, and property requirements;*
- *comparative analysis of the costs of the alternatives; and,*
- *cost of mitigating measures, in relation to effectiveness and significance of concern.*

Occasionally, additional or more extensive environmental or engineering studies than usually conducted during preliminary design may be required to enable a

preferred alternative to be identified. For example, these could include studies of soils, drainage, property, archaeology, vegetation, noise or fisheries.

In some cases, during preliminary design new information may become available which could affect the decisions made during the planning stage. Also, preliminary design work may demonstrate that there are environmental disadvantages that outweigh the advantages of the project. In either case, it is possible that the evaluation of alternatives may result in a decision to maintain existing conditions or to reassess the alternatives.

3.3.4.11 EXTERNAL CONTACTS AND PUBLIC CONSULTATION

Through the course of the preliminary design stage, consultation with external agencies, municipalities, interest groups and the public will vary depending on the complexity of the project and the nature of the environmental issues. Upon the determination of a technically preferred alternative, it is reviewed with external agencies, municipalities, interest groups and the public for comment (see Appendix E, Consultation Process). The information or concerns identified through the external and public consultation process are considered in the analysis and evaluation.

3.3.4.12 SELECTION OF THE PREFERRED ALTERNATIVE - PRELIMINARY DESIGN

Following the analysis, evaluation and external / public review; the technically preferred alternative is assessed in light of all of the comments, and either confirmed or reconsidered. Should the latter occur, additional external input may be required.

The preferred preliminary design alternative is that which best represents a solution to the transportation deficiency and minimizes the detrimental environmental effects and economic costs. It reflects the results of the analysis and evaluation and takes into consideration comments from external agencies, municipalities, interest groups, and the public. By the completion of preliminary design, the detailed property requirements are identified.

3.3.4.13 REVIEW OF EA CATEGORY - PRELIMINARY DESIGN

Upon the determination of the preferred preliminary design alternative, the appropriateness of the Group "B" category is reviewed. In the event that the nature of the project has changed, a Group "B" project may be reclassified to either the Group "A" or Group "C" categories. The screening criteria discussed in Section 3.3.1 and shown in Exhibit 6, may be used to aid in the decision to reclassify the project. Either the project manager or environmental planner can identify the need for a reclassification. In either case it is brought to the attention of the

Regional Environmental Unit supervisor who reassigns the EA classification and advises the project manager.

3.3.4.14 DOCUMENTATION - PRELIMINARY DESIGN

For those projects which have proceeded through the preliminary design stage, the documentation at the conclusion of this phase is very important because:

- the environmental factors will have been identified, analysed and evaluated to determine a preferred alternative;
- mitigating measures will have been identified;
- all of the interested external agencies and public should have been contacted and had the opportunity to provide comments and / or identify concerns to which MTO will have responded and made commitments, where appropriate.

Therefore, it is imperative that what has occurred to date with regard to the project be adequately documented. The types of documentation are:

- Preliminary Design Report - for MTO internal use
- ESR or RDL - environmental assessment documentation required to obtain environmental clearance
- Design Criteria

Although the preparation of a Preliminary Design Report is not mandatory, one is usually prepared for complex projects or where there is a delay between the preliminary design and detail design stages. The information would be incorporated subsequently into the ESR.

Usual practice for typical Group "B" projects, however, is to prepare a Preliminary Design Report following preliminary design and then to prepare an ESR during detail design.

In any environmental documentation, the details of the environmental factors and consultation process (including the public and external agency concerns and how they have been addressed) must be documented in a thorough manner. Specific documentation requirements are discussed in Appendices M and N.

Confirmation of Documentation Type and Need for Early Submission

The need for an ESR or RDL is revisited and either confirmed or revised.

For either an ESR or RDL, the need for early submission is also reviewed (see discussion in Section 3.3.4.2 and Appendix M).

Design Criteria

At the conclusion of the preliminary design stage, the Design Criteria is finalized for senior management approval prior to proceeding to detail design. Further to the initial review (see Section 3.3.4.3) and subsequent review during the course of the project, the environmental planner ensures that the appropriate environmental information is included, for example, EA classification, major environmental issues / constraints and design parameters.

3.3.4.15 EARLY "BUMP-UP" REQUEST

There is the potential for an early "bump-up" request, for example a request prior to the submission of the ESR / RDL. If this occurs, the procedures identified in Appendix C should be followed. Where the concern is regarding an issue that can be addressed in the preliminary design stage, it should be addressed and a resolution sought. Sometimes, however, the concern may be regarding an issue that will be addressed subsequently, for example, during the detail design stage. In this case the request for a "bump-up" is likely premature. Both the person who made the request and the Ministry of the Environment and Energy - Environmental Assessment Branch should be advised of the foregoing.

3.3.4.16 FINAL MANDATORY NOTIFICATION

Should the ESR or RDL be prepared and submitted to MOEE immediately following the preliminary design stage (see Appendix M), final notification is mandatory. For the public, notice of study completion is usually a newspaper ad. In some cases, however, a letter to adjacent / affected property owners may be appropriate in place of, or in addition to, this (see Section 1.1 of Appendix E). For those external agencies and municipalities who were involved during the study, letters are issued. Final mandatory notification is discussed in Appendix E while sample notices / letters are included in Appendix G.

3.3.4.17 PROPERTY ACQUISITION

The Class EA notes that property required for the implementation of a project can only be acquired after the completion of preliminary design. The "completion of preliminary design" is defined as the issuing of an approved plan and profile, including alignment, profile, pavement layout, cross-section, grading and drainage.

It should be noted, however, that any acquisition of property is done 'at risk' until "environmental clearance" is received (see Section 3.4).

Management Board / Ontario Realty Corporation and MTO Property Transactions

Management Board / Ontario Realty Corporation (includes the former Ministry of Government Services (MGS)) will, in some cases, be carrying out, in whole or in part, property related activities for MTO undertakings (for example, acquisition, disposal, interim management, etc.). The MGS and MTO Class EAs indicate that MTO will apply its own Class EA rather than the requirements of the MGS parent Class EA. The requirements of the MGS parent Class EA, therefore, do not apply to MTO Class undertakings (Groups "B", "C" and "D").

3.3.5 Detail Design Stage

During detail design, refinements to the preferred preliminary design alternative(s) for the project are developed and evaluated and contract drawings and documents for tendering are prepared for inclusion in the contract package (also known as the construction package). *The selected detail design is that which is considered by MTO to be most technically, environmentally and economically suitable for resolving the identified deficiencies. The steps in the detail design stage are shown in Exhibit 9.*

Although overall project management is the responsibility of the project manager, during detail design the environmental planner is responsible for ensuring that:

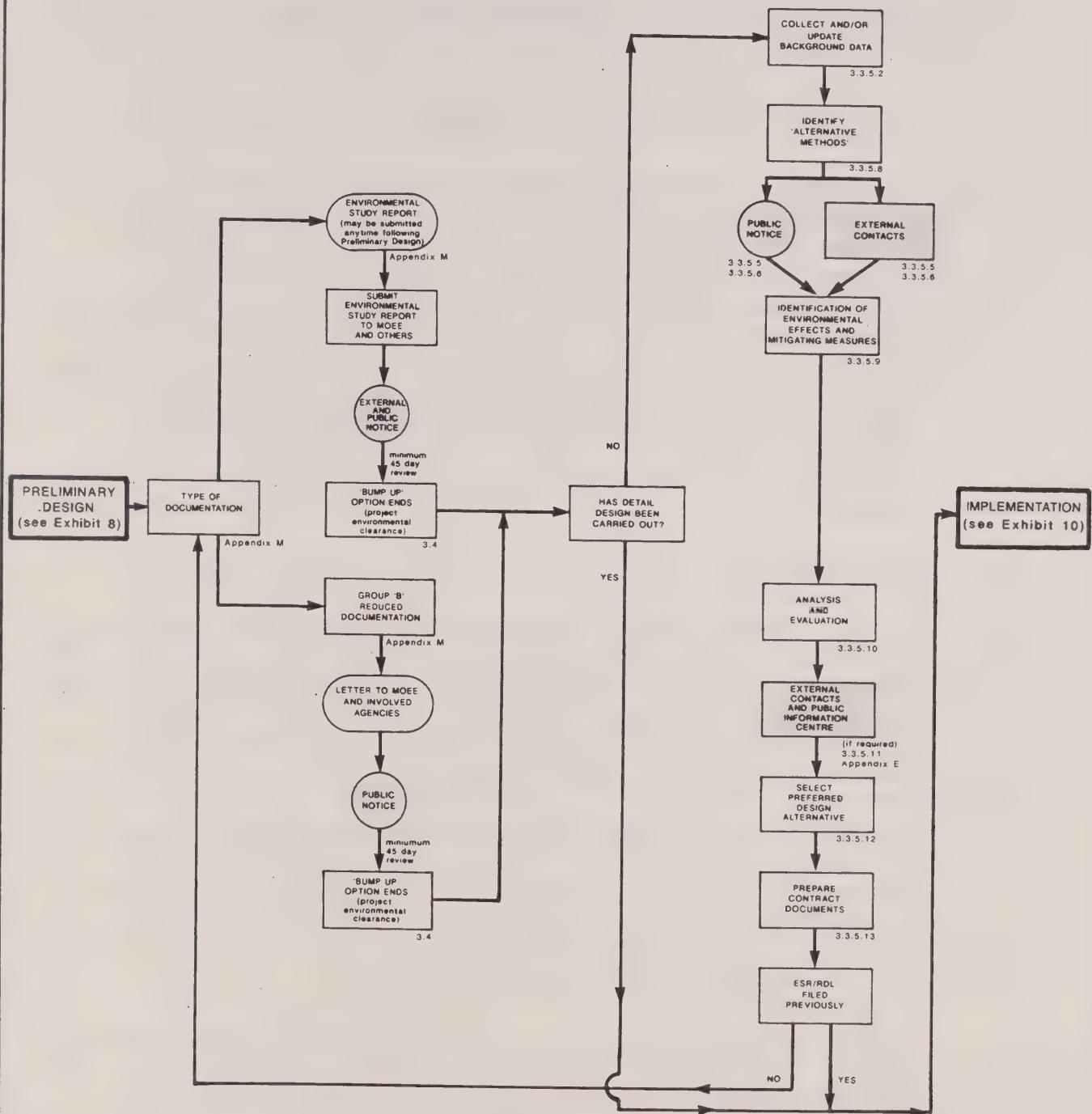
- appropriate external contacts are made and appropriate public consultation is carried out. For those projects that have a small preliminary design component, the mandatory first public notice may occur at the commencement of the detail design stage. For all projects, final mandatory notice will occur with the completion of either the ESR or RDL (see Appendix E);

DETAIL DESIGN STAGE



BASIC STAGES IN A PROJECT - FOR DETAILED FLOW CHART OF CLASS E.A. PROCESS SEE EXHIBIT 4

DETAILED STEPS IN DETAIL DESIGN



For Legend see Exhibit 4

- all significant environmental concerns are addressed and appropriate mitigating measures are incorporated in the contract package;
- the EA classification is revisited;
- for those projects that have a small preliminary design component, the initial review of documentation type is revisited and confirmed or revised;
- the details of the environmental factors and effects, and consultation process are included in the appropriate documentation.

Subsequently during the project, the environmental planner and / or project manager and / or contractor may be responsible for obtaining permits, authorizations or approvals under other legislation to enable project implementation. Therefore, as early as possible in the process, the environmental planner should identify which ones may be applicable and their likelihood, what appropriate action is necessary and the associated time frame since the associated requirements may affect the study. For example, some permits may have an effect on the evaluation of alternatives or may require a long lead time to acquire (for example, Part V approvals for constructing on former waste disposal sites, soil / fill management authorizations for contaminated property). Permits are identified in Appendix K.

3.3.5.1 PREDESIGN

In some regions a Predesign Report may be prepared prior to commencing detail design. It may be prepared: 1) for very large or complex studies; 2) where there is a significant time lag between the preliminary design and detail design stages; 3) to update a preliminary design study; 4) if additional information is required prior to initiating detail design; or 5) to address a very sensitive and / or complex environmental issue.

During the predesign study, the environmental planner ensures that any environmental condition and / or policy changes and the impact of the changes, are identified and assessed and subsequently documented in the Predesign Report.

3.3.5.2 DATA COLLECTION - DETAIL DESIGN

Available background data are reviewed and additional information is collected, if required. The Preliminary Design Report is reviewed, particularly where a time lapse occurs between the preliminary design and detail design stages, to ensure that the engineering and environmental data are still current and valid.

The data are updated as required. Typical data sources are included in Appendix J.

3.3.5.3 REVIEW FOR DOCUMENTATION TYPE

Early in the detail design stage, a review of documentation type (for example either an ESR or RDL) is carried out by the environmental planner. This is discussed in Appendix M.

3.3.5.4 REVIEW FOR EARLY SUBMISSION

The ESR may be prepared and submitted to the Ministry of the Environment and Energy for monitoring and information purposes any time following the completion of preliminary design as long as the appropriate level of detail design is provided, where necessary, to identify environmental effects and mitigation and to confirm engineering requirements. As well, the RDL may be submitted following the completion of preliminary design.

Therefore, at the outset of detail design, a review for early submission is conducted. The pros and cons of early submission are discussed in Appendix M:

3.3.5.5 INITIAL MANDATORY NOTIFICATION

For those projects for which initial notification has not occurred, the initial mandatory notification will occur at the commencement of the detail design stage. While this is an uncommon situation, it could occur where a project has a very limited preliminary design component and so initial notification has not occurred. For the public, initial notification is **usually** a newspaper ad, however, in some cases, a letter to adjacent property owners may be appropriate in place of, or in addition to, this (see Section 1.1 of Appendix E). For external agencies and municipalities, initial notification is an individual letter. Notification is discussed in Appendix E while typical contacts are included in Appendix F and sample notices / letters are included in Appendix G.

Where a public information centre is to be held and if the timing is appropriate, then the public information centre may be advertised in the initial notice (see Appendix G for sample).

3.3.5.6 OTHER NOTIFICATION

For those projects where the initial mandatory notice was given during the planning or preliminary design stages, further notice at this stage is optional.

Where there is a significant time lag between the preliminary design and detail design stages, a second notice and contact letter may be issued as a 'reminder' to the public and external contacts of the project.

3.3.5.7 FINAL MANDATORY NOTIFICATION

Upon completion of the ESR and its submission or the RDL and its submission, final notification is mandatory. For the public, notice of study completion is **usually** a newspaper ad. In some cases, however, a letter to adjacent / affected property owners may be appropriate in place of, or in addition to, this (see Section 1.1 of Appendix E). For external agencies and municipalities who were involved during the study, letters are issued. This is discussed in Appendix E while sample notices / letters are included in Appendix G.

3.3.5.8 IDENTIFICATION OF "ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING" - DETAIL DESIGN

Once current data are assembled, detail design alternatives are identified. These alternatives involve refinements of the factors (such as alignment and grade) established during preliminary design, and require detailed consideration of factors such as drainage, property, structural design and any other relevant concerns.

3.3.5.9 IDENTIFICATION OF ENVIRONMENTAL EFFECTS AND MITIGATING MEASURES - DETAIL DESIGN

The environmental effects, both beneficial and detrimental, of the various detail design alternatives are identified and assessed..... including a more detailed examination of the significant effects identified during preliminary design, as well as any additional effects which may be identified for the particular detail design options under consideration.....

Specific mitigating measures for the significant detrimental environmental effects are defined in detail. These measures may be design features such as the use of subdrains instead of ditches to preserve a valuable row of trees or design of a culvert to permit fish passage.

Decisions regarding the selection of mitigating measures are based on:

- *the significance of the environmental effects;*
- *highway design and construction technology;*
- *highway safety standards;*
- *the cost of implementing the measures;*
- *effectiveness of the measures in solving the identified problem(s);*

- acceptability to external agencies where external approvals and / or permits are required;
- acceptability to the public.

Further to the identification of typical mitigating measures in Appendix R, examples of the documents used in determining the specific mitigating measures for any given project are listed in Appendix S.

3.3.5.10 ANALYSIS AND EVALUATION OF ALTERNATIVES - DETAIL DESIGN

The evaluation of detail design alternatives is based on a comparative analysis of engineering and environmental factors and costs. Evaluation methodologies are discussed in Appendix L. In general, the following elements are considered during the evaluation:

- *comparative analysis of environmental effects including overall significance of beneficial and detrimental effects, and adequacy and feasibility of implementing mitigating measures;*
- *comparative analysis of engineering effects including compatibility with MTO standards and specifications and adequacy of resolution of engineering deficiencies;*
- *comparative analysis of the cost of the alternative designs; and*
- *cost of mitigating measures, in relation to effectiveness and significance of concern.*

The foregoing apply not only to the main alternatives but to components of the alternatives. This usually occurs for complex projects, for example, a road widening which includes a water crossing.

In some cases, during detail design new information may become available which could affect the decisions made during the preliminary design stage. It is possible that the evaluation of alternatives may result in a decision to maintain existing conditions or to reassess the alternatives.

3.3.5.11 EXTERNAL CONTACTS AND PUBLIC CONSULTATION

Contacts with external agencies, interest groups and the public including individual property owners, take place as necessary throughout the detail design phase. A public information centre (see Appendix H) may be held if the circumstances of the project appear to warrant it. For typical Group "B" projects, a public information centre is held during the detail design stage. The information or

concerns identified through the external and public consultation process are considered in the analysis and evaluation.

3.3.5.12 SELECTION OF THE PREFERRED ALTERNATIVE - DETAIL DESIGN

The preferred detail design alternative is that which best represents a solution to the transportation deficiency and minimizes the detrimental environmental effects and economic costs.

3.3.5.13 PREPARATION OF CONTRACT PACKAGE - DETAIL DESIGN

During the course of detail design, the contract package, including contract drawings and documents for tender, is prepared which incorporates the design features, quantities and contract requirements which govern construction of the project. Under the direction of the project manager, the Design Team and environmental planner work together to ensure that special environmental commitments, for example, mitigating measures are addressed. Usually the designers address standard environmental mitigating measures. The environmental planner reviews the standard environmental mitigating measures and addresses special environmental mitigating measures. The contract package includes the applicable Standard and Non-Standard Special Provisions and operational constraints. One should refer to the document, "Specifications, Standard and Non-Standard Special Provisions Addressing Environmental Concerns / Constraints / Requirements", prepared by the Environmental Office.

In addition, the contract package is circulated to the environmental planner to allow sufficient time for his / her review prior to the Technical Review.

MTO must obtain those permits for which it is responsible. Permits are discussed in Appendix K while MTO responsibility for compliance with environmental legislation on projects with tendered contracts is discussed in Appendix O.

3.3.5.14 DOCUMENTATION - DETAIL DESIGN

Once all engineering and environmental concerns have been addressed, the contract package, including contract drawings and documents is completed.

In terms of the documentation requirements of the Class EA process, either an ESR or RDL is prepared during detail design if one has not been prepared earlier for the project. These are discussed in Appendix M.

For those projects for which an RDL is prepared and where there are environmental issues, it is recommended that a Summary of Environmental Concerns and Commitments be prepared (see Appendix N).

If the ESR or RDL has been submitted earlier, then at the conclusion of detail design, a Summary of Environmental Concerns and Commitments may be prepared, where appropriate (see Appendix N).

For appropriate Group "B" and "C" projects, an Environmental Synopsis may be prepared (see Appendix N), which provides a summary of environmental considerations.

Upon completion of the ESR and its submission or the RDL and its submission, final notification is mandatory. For the public, notice of study completion is **usually** a newspaper ad. In some cases, however, a letter to adjacent / affected property owners may be appropriate in place of, or in addition to, this (see Section 1.1 of Appendix E). For external agencies and municipalities who were involved during the study, letters are issued. This is discussed in Appendix E while sample notices / letters are included in Appendix G.

3.4 PROJECT "ENVIRONMENTAL CLEARANCE"

The Class EA allows MTO to proceed with implementation of the project following the 45-day public review period, if no "bump-up" requests (see Appendix C) are outstanding. The Class EA identifies this point as project "environmental clearance," since the project has successfully met the requirements of the Class EA. The Regional Environmental Unit issues a formal letter for distribution within MTO identifying the date of "environmental clearance", type of documentation submitted to the Ministry of the Environment and Energy (i.e. ESR or RDL) and the date of transmittal. A sample of this letter is included in Appendix G.

The start of the 45-day review period is defined as the date of the notice. The placement of the notice has to follow the submission of the ESR or RDL.

In practice, however, "environmental clearance" is usually not issued until all environmental authorizations have been received since it is not desirable to give "environmental clearance" when any legal requirements are outstanding since this could jeopardize the project. Reasons for this include: tendering is done at risk; the awarded contract could have to be cancelled; and, MTO could be charged if it proceeds with construction.

Examples of environmental authorizations include:

- DFO fisheries authorizations
- federal EA requirements
- Part V approvals for construction on former waste disposal sites

Permits are discussed in Appendix K while MTO responsibility for compliance with environmental legislation on projects with tendered contracts is discussed in Appendix O.

In some cases, however, where an environmental authorization is not essential for a contract to proceed and there is no risk in proceeding without it, the Regional Environmental Unit may issue the "environmental clearance" and the contract could be subsequently awarded.

3.4.1 Activities That Can Occur Prior to Project "Environmental Clearance"

The following activities may proceed prior to project "environmental clearance". It should be noted, however, that these activities are carried out at MTO's risk and can not prejudice the consideration of alternatives and the final selection of a preferred alternative.

At any time

- Feasibility studies, research projects or any such actions which are necessary to provide a proper assessment of the project (including archaeological surveys);
- Group "Cg" activities (see Chapter 4) namely property management related activities including negotiations with property owners, property appraisals which are necessary to assist in the comparison of alternatives or to meet environmental requirements and certain property decommissioning activities;
- Group "Cl" activities (see Chapter 4) which are carried out as part of the design process including legal surveys and field investigations (environmental, soils, foundations and aggregates). Legal surveys do not include total station survey with significant clearing where it is part of a Group "A" or "B" project. If this is required, it may be a good reason to consider early submission (see Appendix M).
- Group "D" activities (see Chapter 5) and all associated approvals.

After completion of preliminary design

- *Property required for the implementation of projects covered by the Class EA can only be acquired after the completion of preliminary design. Property activities include offer to purchase, notice of expropriations, owner-initiated negotiations etc.*
- *Various types of approvals under other legislation for related activities such as road closures can be obtained after preliminary design, although the activity itself may not be implemented until after "environmental clearance".*

3.4.2 Activities That Can Occur Only After Project "Environmental Clearance"

The following activities are considered part of the project and cannot occur until after project "environmental clearance" has been given:

- *any physical altering of the ground, water, or vegetation that may be interpreted or construed as a beginning of construction of the project including such activities as:*
 - *utility relocation;*
 - *fence removal or relocation;*
 - *clearing of vegetation, including major removals for total station survey (see Interpretive Bulletin D-3).*
- *activities such as road closures (however, applications for various types of approvals under other legislation may be pursued for Group "B" projects prior to project "environmental clearance").*

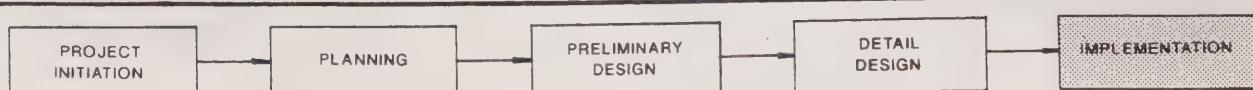
3.5 PROJECT IMPLEMENTATION PROCESS

Once project "environmental clearance", is issued, the project can proceed to be implemented. *The main steps in this process are construction (Sections 3.5.1, and 3.5.2) and operation and maintenance (Section 3.6). Throughout project implementation, the commitments made in the ESR for each specific project must be adhered to. Although project management changes from either the Planning and Design Section or the Structural Section, to the Construction Office, the Regional Environmental Units have ongoing involvement.*

The main steps are described in the following sections and shown in Exhibit 10.

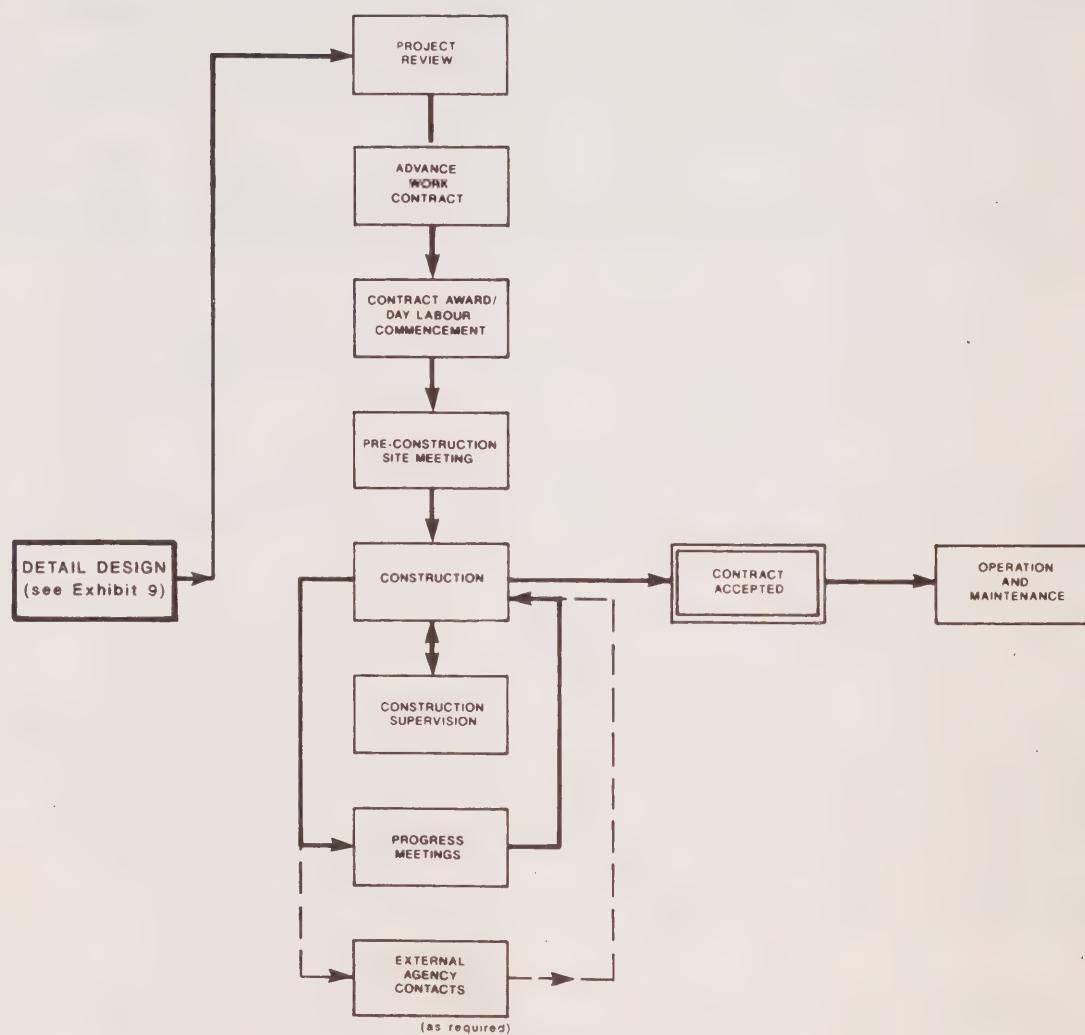
Section 3.6 of the parent Class EA document which addresses project implementation, was developed to describe MTO's project implementation process and typical construction activities for the information of external agencies, interest groups and the public. That information is not repeated

PROJECT IMPLEMENTATION STAGE



BASIC STAGES IN A PROJECT - FOR DETAILED FLOW CHART OF CLASS E.A. PROCESS SEE EXHIBIT 4

DETAILED STEPS IN PROJECT IMPLEMENTATION



For Legend see Exhibit 4

here. Instead this section focuses on MTO's internal process and how the environmental commitments made earlier in the process are addressed.

3.5.1 Projects with Tendered Contracts

The majority of MTO highway construction projects are carried out by tendered contracts. While the project planning, preliminary design, detail design, and contract preparation are performed by MTO, the project contract is let by competitive tender and is normally awarded to the prequalified contractor who is the low bidder.

3.5.1.1 DESIGN PACKAGE TURNOVER / HANDOVER

A meeting is held for the formal transfer of a project from design to construction with overall project management being transferred from the project manager to the project supervisor (or contract administrator). The environmental planner is invited to attend and should do so where there are environmental issues to be discussed (see Provincial Highways Directive C-47 re: procedures).

Although in some cases, previous contact with the Construction Office may have occurred during the detail design stage, this is the first **formal** opportunity for the environmental planner to review the project with the project supervisor assigned to the contract and to ensure that he / she is aware of the specific environmental considerations, particularly any unusual situations. In addition the environmental planner highlights any environmental commitments to be met during construction.

The environmental planner also advises the project supervisor of the anticipated level of involvement of the environmental planner and any special monitoring requirements, the need to receive feedback on any environmental monitoring which is carried out and the need for the resulting information to be addressed in the Project Construction Report.

For the meeting the environmental planner provides the following information:

- a copy of the ESR;
- Summary of Environmental Concerns and Commitments for Group "B" projects or Group "C" projects (an outline of the table is included in Appendix N);
- copies of any pertinent reports and / or environmental permits, for example:

- migratory bird permit
- DFO compensation agreements / authorization
- archaeological report;
- any other documentation of environmental issues / commitments (for example, an Environmental Synopsis where prepared. See discussion in Appendix N);
- coordination of the review of any environmental contract proposals that may be required.

3.5.1.2 BIDDER'S MEETING

Following advertising but prior to tender opening, where a project involves new, complex and / or unusual circumstances, a bidder's meeting may be held to review the foregoing. If there are unusual environmental considerations, then the environmental planner attends. In those cases where there are major unusual environmental considerations then the environmental planner may need to initiate a bidder's meeting.

3.5.1.3 PRE-START MEETING OR PRE-WORK MEETING

Before work on the contract begins, a meeting is held to review the project with the contractor. This is the initial formal meeting between the Construction Office and the contractor. The environmental planner is usually invited to attend and should do so where there are environmental issues to be discussed.

This is the first formal opportunity for the environmental planner to review the environmental issues and / or commitments associated with the project with the contractor. Therefore the information and / or reports provided and reviewed at the design package turnover / handover (see Section 3.5.1.1) are reviewed again with the contractor.

In addition, the environmental planner:

- reviews the significant environmental features of the contract, for example, Non-Standard Special Provisions;
- reviews and clarifies the content, and requests the timely submission of any environmental contract proposals and any other environmental documentation, such as waste manifests, required by the contract;
- notes whether or not external notification is required;

- notes any environmental monitoring of the project by MTO;
- notes whether or not any external agencies will be formally monitoring the project;
- determines any subsequent involvement of the Regional Environmental Unit and arranges it as necessary.

In some cases it may be appropriate (with the project supervisor's agreement) for external agency(ies) to attend.

3.5.1.4 PUBLIC NOTIFICATION

Prior to the commencement of construction activities, the directly-affected property owners or tenants are normally contacted by construction staff so that the timing and nature of the work to be done and the ways in which it might affect them (for example, access to property), can be explained. They are provided with the name of the project supervisor or day labour foreman and with details on where he / she can be reached during business hours to answer any queries. Potential traffic disruptions may be advertised to the public.

3.5.1.5 CONTRACTOR'S PROPOSAL

A contractor's environmental proposal as required by a Special Provision, is reviewed by the project supervisor, environmental planner and other offices, as appropriate. Where appropriate, external agencies may be involved in the review. Coordination of this should be through the environmental planner.

3.5.1.6 ON SITE / PROGRESS MEETINGS

The project supervisor establishes a regular schedule for on site / progress meetings. These meetings address all issues in the contract, including environmental issues.

The environmental planner may be invited to attend if specific environmental issues are to be addressed. Where appropriate, the environmental planner may ask the project supervisor to arrange such an opportunity.

3.5.1.7 ENVIRONMENTAL MONITORING DURING CONSTRUCTION

MTO undertakes environmental monitoring for the following reasons:

- to ensure compliance with external commitments made in the ESR, and to ensure that issues and follow-up identified earlier in the project are carried out;
- to ensure that mitigation measures are in place;
- to ensure that additional measures are provided as required, for unanticipated environmental problems which develop during construction;
- in response to a specific external agency or public request made during construction;
- to ensure that mitigation measures are providing the expected level of control and / or protection;
- to provide information for the overview assessment of mitigating measures.

MTO involvement in environmental monitoring consists of the following:

- construction staff are on site for the duration of construction and are responsible for daily inspection to ensure that measures are present, working and maintained as expected.
- an environmental inspector may be assigned by the project supervisor to projects having significant environmental sensitivities. In some cases a special consultant may be retained. His / her responsibilities are to monitor the installation, maintenance and performance of all environmental protection measures. All relevant information is documented in an environmental diary.
- environmental planners are responsible for periodic site visits which are usually based on the degree of environmental sensitivity and concern expressed by external agencies, a commitment to monitor as stated in the ESR and / or the incidence of problems on site. The level of monitoring undertaken by the environmental planner is usually addressed on a project-specific basis.

The Environmental Synopsis (Appendix N) and / or the Summary of Environmental Concerns and Commitments (Appendix N) may assist the

environmental planner and construction staff in identifying significant environmental issues and specific mitigation measures to be monitored.

The timing of the site visit should be determined in view of the objective of the monitoring. Ideally one should visit the site at the time of maximum environmental concern, for example, opening of a stream diversion.

When a contract / construction site is going to be inspected by environmental staff, the person responsible for the monitoring arranges a meeting with the project supervisor and then checks in when on the job site.

During or immediately after monitoring, the environmental planner completes a Field Site Visit Report form. A generic form developed by the Environmental Office is included in Appendix N. A regional-specific form is currently being prepared by each region (see Appendix N). The purpose of this form is to document problems, recommended solutions to problems and any direction given to construction staff. The form may also be used to document the effectiveness of new measures. A copy of the completed Field Site Visit Report is placed in the environmental planner's project file. Copies are sent to the Manager of Construction, the project supervisor and the Environmental Office.

3.5.1.8 CONTRACT ACCEPTANCE PROCESS

Prior to acceptance of the contract, construction staff may request the environmental planner to monitor and / or inspect a site to determine whether there are any outstanding environmental issues. In addition the project supervisor advises the environmental planner of the final review who in turn provides input about environmental issues, where necessary.

3.5.1.9 PROJECT CONSTRUCTION REPORT

A Project Construction Report is prepared by the project supervisor upon completion of a contract, and documents problems encountered during construction. It is distributed to all offices having input in the preparation of the contract package and acts as a feedback mechanism to ensure the development of effective contract packages, for example, effectiveness of monitoring.

The Project Construction Report contains a section on "environmental protection" and provides comments on the effectiveness and practicality of environmental protection measures used on the contract. A copy of the completed "Summary of Environmental Concerns and Commitments" should

be attached to the report, where one has been supplied by the Regional Environmental Unit.

3.5.2 Projects with Equipment Rental and Day Labour

For these projects, MTO is the contractor and therefore must ensure that the work is conducted in compliance with the applicable federal and provincial acts. The activities described in Section 3.5.1 can occur for these projects as well.

3.6 ENVIRONMENTAL REQUIREMENTS DURING OPERATION AND MAINTENANCE OF A SPECIFIC PROJECT

Project-specific environmental requirements following project completion and during operation and maintenance may involve:

- following-up to any commitments made earlier as identified in the appropriate documentation, for example, ESR. For example, this may involve post-construction or follow-up monitoring of significant measures and / or significant concerns or contacting an external agency about a specific concern.
- meeting with Maintenance to ensure the integrity of environmental commitments and design features and to ensure that they are aware of any special maintenance considerations, for example:
 - special maintenance requirements related to fisheries concerns for example, cleanout of stormwater quality management facilities; cleanout of clay-lined ditches which are in place to prevent stormwater infiltration to ground under recharge areas;
 - restrictions on use of pesticides or spraying in certain areas;
 - retention of certain trees, particularly when doing utility work;
- responding to identified environmental problems and / or emergencies. Where an environmental problem is identified, the Regional Environmental Unit should be contacted to deal with external agencies, for example, MOEE, MNR, etc.

3.7 PROJECT IMPLEMENTATION DELAYS AND REVIEW

Projects are normally begun in the same year or the year following the completion of detail design. In some cases, however, due to program administration or funding constraints, the projects may not be implemented for a longer period of time.

For those projects for which construction commences within three years of obtaining project "environmental clearance" (see Section 3.4), no project review is required.

For those projects for which construction commences within three to five years of receiving project "environmental clearance", a review is carried out to determine if the information contained in the ESR or RDL is still valid. This is accomplished by determining if there have been condition changes within the study area, and/or changes in environmental policies which affect the project. During the course of the informal review, appropriate external agencies are contacted, as required.

For those projects for which construction commences after five years following the submission of the ESR or the RDL, the project is automatically subject to a review. This requires that all external agencies and the public who were originally contacted, be contacted again.

Where condition and/or policy changes result in significant modifications to the project, the identification of new concerns or detrimental effects and changes in mitigating measures, the following apply. For those projects for which an ESR was originally prepared, an addendum is prepared. The submission to the Ministry of the Environment and Energy and the review period are as discussed in Appendix M. For those projects which have been proceeding under the reduced documentation requirements, they will be reviewed to determine if reduced documentation is still appropriate. If it is not, then an ESR is prepared for the project for submission to the Ministry of the Environment and Energy. The submission and review period are as discussed in Appendix M.

3.8 PROCESS MONITORING

The term "process monitoring" refers to MTO's inspection of its own compliance to the approved administrative processes that have been established under the Class EA. Examples of this administrative process for Group "B" undertakings include ensuring that the initial public notice and the final public notice are issued on a project and an ESR is filed for public review, when required.

Process monitoring includes both project-specific Class EA process monitoring and overview Class EA process monitoring. These are discussed in the following sections.

3.8.1 Project-Specific Class EA Process Monitoring

During planning and design, the Regional Environmental Unit ensures compliance with the Class EA process before issuing "environmental clearance" for project implementation.

During construction, MTO ensures that external notification and consultation are consistent with any commitments which may have been made earlier. Following construction, monitoring will ensure that any follow-up information is provided to external agencies as per outstanding environmental commitments.

This project-specific process monitoring undertaken by the five MTO Regional Offices, in turn provides input to the overview monitoring of the Class EA process.

3.8.2 Overview Class EA Process Monitoring

The overall goal of overview Class EA process monitoring is to determine ways of making the process better while ensuring that environmental commitments are met.

In addition, Section 3.7.1.2. of the parent Class EA states that "*an annual update of the status of all projects planned in accordance with the Class EA will be submitted to the Environmental Assessment Branch.*" Overview Class EA monitoring is discussed in Appendix T.

CHAPTER 4 - GROUP "C" PROJECTS - CLASS EA PROCESS

Group "C" projects primarily involve operation and maintenance, rehabilitation activities, operational improvements, and property management or other minor program activities associated with existing highways and associated facilities. They are undertaken for the safety, comfort and convenience of the users of, or people affected by, the provincial highway system, or for the maintenance of the system. With the approval of the Class EA, Group "C" projects are approved under the provincial EA Act subject to screening for environmental effects. Neither formal documentation nor further environmental approvals are required under the provincial EA Act.

4.1 LIST OF GROUP "C" PROJECTS

Since there is an extensive range of Group "C" projects and/or activities, a list of generic types including specific examples for clarification purposes is included in the parent Class EA. This in turn allows flexibility to include similar project types which are not specifically identified. The parent Class EA emphasizes that the list is neither a detailed nor exhaustive list. While for the Class EA Process Manual the list has been expanded to include additional examples of relevance to MTO staff, it is still not considered to be all-inclusive.

The list should not be read in isolation of the remainder of the Class EA Process Manual. Users must consider other EA classification descriptions and policy directions, see Section 2.3 (EA Classification) and Section 3.2 (Description of Group "B" Project Types).

Where Group "C" projects involve the replacement of existing highways and associated facilities, it is intended that this be primarily for the same purpose, use, capacity and at the same location. It is recognized, however, that minor new facilities are permitted in certain situations.

The following identifies the types of projects and/or other activities included as Group "C" projects. The italicized words are the ones which appear in the parent Class EA.

a) *Operational, roadbed and surface improvements, or other minor program activities associated with existing highway facilities, such as:*

- *replacement of existing highway facilities;*
- *adding auxiliary lanes for localized purposes, such as: weaving, climbing, speed change, passing or median crossover;*

- highway reconstruction, paving, resurfacing, patching or shoulder paving with new, recycled or reclaimed materials or in-place recycling with heater planer or prime and surface treatment;
- frost heave treatments with no change in alignment;
- minor widening of the cross-section to bring the roadway up to current design standards; with no increase in the number of lanes;
- installation, modification and maintenance of *traffic control* devices; such as: signing, pavement markings, signalization and traffic monitoring and control systems
- installation, modification and maintenance of *safety devices*, such as: lighting, grooving for skid resistance, provision of glare screens, median safety barrier and energy attenuators or wildlife reflector barriers;
- installation, modification and maintenance of *noise barriers* to provide noise attenuation on existing highways;
- *installation of underpasses and overpasses for pedestrian, recreational or agricultural use*;
- *construction or replacement of entrance culverts, manholes and catch basins*;
- fence installation;
- clearing and other vegetation removal for utility relocation and surveying;
- traffic monitoring and sampling equipment and security shelters and electrical supply lines and poles for installations.

b) *Construction, modification, rehabilitation or replacement of grade separations or intersections, such as:*

- *railroad or crossroad grade separations*;
- *minor modification of interchange* design, such as: reconfiguration of an interchange design, for example, changing a cloverleaf to a Parclo or diamond design;
- *correction of substandard intersections*.

c) *Rehabilitation, maintenance and minor modifications of existing water crossings, such as:*

- *structural maintenance and rehabilitation which are above normal water levels*, including, bridge deck repairs or replacement, replacement of expansion joints, bridge deck waterproofing, barrier wall construction, handrailings, bearing maintenance and cleaning;
- *repairs to abutment, wingwalls, footings and piers which are above normal water levels*;
- *drainage maintenance* including minor drainage improvements, such as: *culvert repair, extensions and replacements*, and stormwater control devices;
- *upgrading of culverts in watercourses which are intermittent*

- installation or replacement of rip rapping of ditches and stream bank protection;
- *minor watercourse corrections* in conjunction with culvert replacement;
- *removal of hazardous drainage conditions* such as beaver dams;
- *structural sandblasting and coating* (for example, bridge painting), shotcreting and bridge washing;
- *minor ferry crossing facilities*.
- maintenance and repair to ferry docking facilities, approaches, parking and passenger facilities.

d) Modification, expansion, rehabilitation and replacement of existing transportation facilities, such as:

- *highway service facilities, such as: patrol yards, truck inspection stations, other types of inspection stations, service centres including buildings and associated facilities, commuter parking lots, roadside parks, rest areas, picnic sites and travel information centres.*

e) Establishment of minor service facilities, such as:

- *minor commuter parking lots, picnic sites and minor rest areas.*

f) Maintenance and improvement of transportation facilities through activities, such as:

- *maintenance and repairs to ferries and navigational aids;*
- *highway landscaping;*
- *roadway and highway right-of-way maintenance, including:*
 - mowing and brushing by mechanical means;
 - weed control and brushing by chemical means;
 - surface and shoulder repair, crack sealing, slope repair, snow fence installation and removal, highway and security fence repair and replacement, guiderail repairs and replacement;
 - dragging and grading gravel surfaces and shoulders, gravelling and shouldering;
 - application of dust control materials;
 - slope flattening for snow storage;
 - removal and disposal of debris in the watercourse at structures and culverts;
 - roadsweeping and catch basin clean-out;
 - culvert and storm sewer clean-out
- *park and picnic site maintenance;*
- *stockpiling of maintenance materials* including sand, de-icing chemicals, gravel, fill and cold patching materials;

- winter maintenance activities, including snowplowing, snow removal, salting and sanding.

g) Property management related activities, such as:

- disposal, transfer, designation or removal of designation, assumptions and optioning of property;
- owner-initiated property transfers in hardship cases, including:
 - situations in which a building permit has been refused on the basis that the proposal is on lands which may be used for a highway facility which is subject to the EA Act and approval has not yet been granted; and,
 - situations where a person wants to sell his property quickly (i.e. for health or financial reasons or to settle an estate) but is unable to do so at a satisfactory price because a highway location study is underway or a highway location study is proposed to cross the property pending approval under the EA Act.
- building removal, modification or relocation for safety reasons, and other property management activities where these activities are not part of the implementation phase of the undertaking;
- property decommissioning which is not part of the undertaking.

h) Utility modification, relocation and removal for safety or other property management reasons, where these activities are not part of the undertaking.

i) The abandonment of existing transportation facilities and rights-of-way, such as:

- abandonment of portions of highway resulting from the realignment of the highway;
- removal from service of ferries and onshore facilities no longer required;
- decommissioning of existing service facilities such as patrol yards, inspection stations and weigh scales;
- removal of storage facilities, such as: underground storage tanks, salt and sand sheds;
- removal of existing structures.

j) Operation of Ministry transportation facilities such as the utilization of the highway facilities by highway users.

k) Emergency repair of a highway facility which is commenced immediately after an accident, natural disaster, catastrophic failure or on detection of an impending failure.

l) Activities which are carried out as part of the design process prior to construction of the project, such as:

- *pre-engineering data collection to determine engineering and design requirements such as; foundations, geotechnical, and soils investigations; ground, legal surveys and engineering surveys;*
- *mitigating measures and compensation carried out pre or post construction, including; habitat creation, stormwater facilities, wetland improvements and replacements;*
- *archaeological and heritage investigations and salvage;*
- *groundwater and surface water investigations and sampling.*

Further to the foregoing generic list of Group "C" projects, the following should be noted:

- normal operation and maintenance and minor improvements are considered to be Group "C" projects;
- a grade separation is considered to be a Group "C" project;
- where water crossing work and watercourse alterations are minor, then it is considered to be normal drainage maintenance, i.e. a Group "C" project. However, if changes to the channel are planned which would result in significant environmental effects, this work would be considered to be a Group "B" project;
- the replacement or upgrading of culverts in watercourses which are intermittent (i.e. stop flowing at some time during the year), are considered to be normal maintenance when undertaken on their own or in conjunction with other Group "C" projects and are therefore considered to be Group "C" not Group "B" projects;
- the replacement of existing culverts on permanently flowing streams where the use, function, capacity and location are to remain the same, is considered to be a maintenance activity and therefore is considered to be a Group "C" not Group "B" project;
- improvements to and rehabilitations of existing patrol yards, truck inspection stations and service centres, and the establishment of minor rest areas are considered to be Group "C" projects.

4.2 SCREENING

Group "C" projects may be described as either 1) capital construction or 2) operational maintenance and administrative activities which tend to be generic activities. Group "C" projects are subject to screening for environmental effects. The objective is to determine impacts in order to apply appropriate mitigation. Typical mitigation measures are discussed in Appendix R. The application of mitigation is as per Section 3.3.5.13.

As discussed in Sections 4.2.1 and 4.2.2, the environmental screening varies, depending on whether it applies to a specific project or a generic activity. Formal documentation of the screening is not required.

It should be noted that the screening can aid in determining whether a project is a Group "B" or a Group "C", particularly in the 'gray areas'.

Three types of Group "C" projects, however, are not subject to the screening due to their nature and for practical purposes. These are:

- Cj) since this applies to overall operation
- Ck) since this applies to emergency activities
- Cl) since these activities are required to identify environmental considerations.

As well there are portions of other Group "C" activities which, due to the function / nature of the activity, do not enable the application of the screening process.

4.2.1 Capital Construction Projects

Group "C" projects that are part of the Multi-Year Capital Construction Program go through a shortened / condensed version of the project planning process outlined for Group "B" projects in Section 3.3. During this process, however, a Group "C" project is subject to an environmental screening process in order to identify environmental sensitivities, potential for impact, mitigating measures and the need to contact external agencies, interest groups, the public and/or property owners. The environmental screening process is included in Exhibit 11 and is carried out by the environmental planner. In addition, typical questions that can be applied are provided in Appendix P. The determination of the environmental sensitivities and effects is carried out in the context of the principles and guidelines discussed in Appendix R. As new environmental initiatives are identified, and new or modified policies are developed, these will be reflected in the screening process. While formal documentation is not required, it is desirable for the environmental planner to document the screening process, usually by a memo to file.

GROUP "C" SCREENING

1) Determine the scope of the project / activity:

- location
- type of work
- timing / duration of work

2) Identify known and/or potential sensitivities or direct effects on the:

- natural environment - for example, work in water
- social environment - for example, noise, dust, etc.
- economic environment - for example, disruption of entrances, detour requirements, etc.
- cultural environment - for example, impact to archaeological or heritage features

The determination of sensitivities and effects is carried out in the context of Appendix R, Environmental Considerations and Typical Mitigation.

3) Identify appropriate mitigating measures where environmental effects are anticipated.

Note: Throughout steps 2) and 3) appropriate external agency(s), public and/or property owners are contacted, as necessary where potential and/or direct effects are identified and to obtain background data. Where there are effects for which standard mitigation will be applied, external agencies do not need to be contacted although they may be contacted to obtain background information or to verify mitigating measures.

4) Where there are significant net environmental effects and/or significant external or public concerns, a Group "C" project may be reclassified to a Group "B" project.

5) Communicate actions to be done in contract.

(Exhibit modified from parent Class EA document)

Note: The screening process is carried out to the appropriate level of detail for a specific project.

The screening process reflects a "thinking process" and no formal documentation is required.

EXHIBIT 11

Appendix R provides examples of typical mitigating measures. The application of mitigation is as per Section 3.3.5.13.

4.2.1.1 DOCUMENTATION FOR GROUP "C" CAPITAL CONSTRUCTION PROJECTS

There is no formal requirement for external documentation. Nevertheless, internal documentation is provided by the Design Criteria, the Preliminary Design Report (if one was prepared), project files (for example, correspondence, minutes of meetings) and the design package. In order to summarize the issues and / or give guidance to the project supervisor during project implementation and for inclusion in the Project Construction Report, it is recommended that the environmental planner prepare a "Summary of Environmental Concerns and Commitments" (same as that prepared for an ESR) for those projects with identified environmental sensitivities. A sample is included in Appendix N. As well, a variation including a column entitled "Project Supervisor Comments" is also shown in Appendix N.

Where there are specific environmental concerns, it may be necessary to contact an external agency(ies) during and / or at the conclusion of a project, prior to project implementation, for example, MNR regarding a fisheries issue.

At the conclusion of a project, if desired, an Environmental Synopsis can be prepared (see Appendix N) and / or the environmental planner can prepare a memo(s) to the project manager advising of specific environmental concerns.

4.2.2 Operation, Maintenance and Administrative Activities

For the most part, these Group "C" activities are considered to be generic and are carried out according to MTO policy guidelines as identified in Appendix S. Since the assessment of the environmental sensitivities, effects and mitigating measures is carried out for the group of activities (rather than an individual activity), the results of these assessments are then reflected in the policy governing the generic activity. Therefore the environmental screening is generally applied to the generic activity, not a specific project. Each region / district is responsible for establishing suitable methods for screening specific activities having environmental sensitivities. For the most part, these activities are self-policing, however, staff carrying out these activities are encouraged to advise the Regional Environmental Units of unusual situations where additional environmental input and/or advice are required (see Appendix R re: typical mitigation).

Where MTO existing guiding documents do not address environmental issues, the screening mechanism discussed in Section 4.2.1 is applied.

4.2.3 Reclassification of a Group "C" Project

MTO may voluntarily reclassify a specific Group "C" project to a Group "B" project if significant net environmental effects and/or significant external agency/public concerns are identified through screening the project. It should be noted, however, that since a Group "C" project can be carried out to the same level of investigation as a Group "B" project and assuming that mitigating measures are proposed which adequately address any environmental issues, then the Group "C" classification should be adequate. To date, reclassifications have been rare.

Exhibit 6 in Section 3.3.1 can be used as a basis for determining the issues and their significance. Examples for considering / requiring a reclassification include:

- change in nature of project
- need for comprehensive documentation (i.e. an ESR) to address a number of issues / concerns
- external request to review a formal report (i.e. an ESR)
- public expectation / response to public concern
- water / fishery issues
- federal EA requirements

Whatever the rationale, it should be sufficient to justify the additional administrative effort.



CHAPTER 5 - GROUP "D" ACTIVITIES

5.1 STATUS UNDER THE EA ACT

Group "D" activities are separate groups of MTO activities which are approved under the EA Act, subject to compliance with other environmental legislation and associated interministerial protocols and agreements.

MTO undertakes Group "D" activities in accordance with standard procedures, constraints and/or approval requirements which are aimed at the protection of public safety and the environment. These procedures, constraints and/or approval requirements are either imposed directly by the Environmental Protection Act (EPA), Regulation 347, the Transportation of Dangerous Goods Act (TDGA), the Aggregate Resources Act, or by interministerial protocols and agreements pursuant to that legislation.

The compliance of Group "D" activities with the foregoing procedures, constraints and/or approval requirements constitutes compliance with the EA Act requirements regarding assessment and mitigation of environmental effects. Therefore, for the purposes of the EA Act, Group "D" activities are not considered part of a transportation undertaking. In keeping with the objectives of the environmental assessment process, MTO will provide appropriate opportunities for public consultation associated with specific Group "D" activities through the normal MTO process. This is in addition to certain avenues for public appeal available through the EPA and Aggregate Resources Act.

Where public information centres are held, the general MTO approach to Group "D" activities and project-specific information about these activities (if available) will be presented. As well, this information will be documented where environmental reports are prepared.

5.2 LIST OF GROUP "D" ACTIVITIES

The following lists the activities classified as Group "D". These activities may be associated with the construction, operation, maintenance, and/or clean-up of transportation facilities or other MTO property.

a) Routine waste and excess material management activities, which may include:

- waste generation;
- temporary waste or material storage;
- waste or material sorting;

- waste or material transportation and transfer;
- material reuse, recycling, management as fill or commercial waste disposal.

(See Section 5.3)

- b) Construction, operation and closure of EPA Part V approved non-hazardous or commercial waste disposal sites, less than 40,000 m³ in capacity.

(See Section 5.4)

- c) Emergency response activities, which may include:

- notification of authorities;
- spill containment;
- spill clean-up;
- transportation, transfer and temporary storage of spill, clean-up or abandoned material.

(See Section 5.5)

- d) Aggregate resource activities, which may include:

- extraction;
- transportation;
- site rehabilitation;
- processing.

(See Section 5.6)

5.3 MANAGEMENT OF EXCESS MATERIALS AND WASTE

MTO generates excess materials and waste as a result of the construction, operation and maintenance and / or clean up of transportation facilities.

Excess materials are generated by either of the following:

- construction activities required specifically for the project, or
- activities linked to the operation and maintenance of provincial highway facilities as a whole.

Excess materials typically associated with construction activities may include:

- asphalt
- concrete
- swamp material
- wood
- earth
- rock

Excess materials typically associated with maintenance activities may include:

- catch basin clean out materials
- roadsweeping materials
- wood, sediments, litter, and other debris.

Excess materials are primarily managed through reuse, recycling, management as fill, or disposal as waste in accordance with MOEE legislation, policy and MOEE / MTO protocols.

Wastes are primarily generated by operations not specifically linked to an individual highway project, but rather to the operation and maintenance of provincial highway facilities as a whole. Some examples of wastes include: waste oil from MTO fleet maintenance; zone painting and asphalt testing liquids; and, spill or accident related materials which must be removed from MTO property.

Wastes are managed in accordance with the Environmental Protection Act, Regulation 347 and other applicable legislation.

5.3.1 Documentation and Public Consultation for Excess Materials and Waste

The text outlined in Section 5.3 is recommended as a standard for panels at a public information centre. For environmental reports, it is recommended that the discussion of construction related excess materials be expanded to include the following:

...."An MTO/MOEE protocol identifies material-by-material management options both inside and outside the construction area, which includes the right of way and property with a boundary contiguous to the right of way.

All excess materials may be reused or recycled.

Inside the right of way, materials such as asphalt, concrete, swamp material, wood, earth and rock may be reused or recycled as a construction material. Materials also may be temporarily stockpiled in preparation for these uses.

Management of excess materials outside the right-of-way, stockpiling and wood management depend upon local circumstances. Site protection is provided by the imposition of constraints and for the protection of water and air quality adapted from existing legislation. Management of these materials also involves discussions and written agreements with property owners, and may involve consultation with MOEE and other authorities. Where an excess material reuse/recycling option cannot meet constraints, another option must be pursued, or the material must be disposed of as waste..."

In most cases, waste and excess materials will be able to be managed within the framework of existing policies and procedures (See Appendix Q). Therefore, discussions at PICs and in environmental reports should be kept generic.

Project specific management should only be discussed were non-traditional management is required, see Sections 5.3.2 and 5.4.

5.3.2. Policy and Procedures for Excess Materials and Waste

The policy and procedures framework for excess materials and waste is outlined in Appendix Q.

The policy outlined for waste management is provided only as a reference for the planner, in the event that questions arise at a public information centre. It is not necessary for the planner to acquire an in depth knowledge of these policies, as they are generally managed separately from projects by the EP-Waste Management.

The environmental planner should acquire a good working knowledge of the policies outlined for excess materials management, as this will need to be assessed to some extent for all projects, and could be the subject of enquiries at a public information centre.

The environmental planner is encouraged to keep excess materials policies in mind throughout planning and design. The following outlines some key considerations for the planner. As special concerns may arise that require

significant time to resolve, the earliest possible consideration of the following is recommended:

- Are the volumes of excess materials being minimized by design?
- Despite design measures, will construction of this project generate unusually large volumes of any excess materials?
- Where volumes are excessive, might nearby residents be concerned about management of this material by traditional MTO methods?
- Is there any chance that excessive volumes cannot be managed within the present OPS/SP framework? If they cannot, what are the alternatives, costs, and approval requirements?
- Could any materials proposed for use on this project be considered waste?

The EP-Waste Management should be consulted for assistance if any potential concerns, related to the above, are identified.

5.4 MTO WASTE DISPOSAL SITES LESS THAN 40,000 m³ AND DEDICATED FILL SITES

Where excess materials less than 40,000 m³ cannot be managed within the existing OPS/SP framework, MTO may need to establish a recycling, processing, dedicated fill or waste disposal site on MTO property. In such a case, EPA Part V approval would be required; EA Act approval would not be required. Waste disposal sites in excess of this size would require approvals under both Acts.

The establishment of waste disposal or dedicated fill sites on MTO property is expected to be very infrequent. However, if such a site is required, it will need to be addressed at PICs and in environmental reports. Guidance with respect to documentation and public consultation will be provided on a case by case basis by the Environmental Office.

5.5 EMERGENCY RESPONSE

MTO is involved in emergency response activities under the following circumstances:

- accident related spills or material abandonment by the travelling public on MTO highway facilities;

- spills by MTO contractors undertaking construction or maintenance activities; and
- spills by MTO during the course of activities associated with the construction, operation, and maintenance of highway facilities.

For spills by the travelling public, MTO may have certain legal notification responsibilities. MTO does not have direct legal responsibility under environmental statute for containment or cleanup of such spills, but does respond in certain circumstances in response to public safety or environmental concerns, and to ensure maintenance of traffic flow.

Responsibility for removal of materials abandoned on MTO property rests with the material owner. MTO is often obliged to remove unclaimed material.

Where MTO removes any materials during the course of emergency response, these materials are managed as wastes (See Section 5.3).

For spills by MTO, MTO is responsible for all notification, containment and cleanup requirements of applicable statutes.

5.5.1 Documentation and Public Consultation for Emergency Response

Spills are random and are not project specific. Therefore, the documentation in the environmental report and discussion at a public information centre should be general and brief, as follows:

..."Direct responsibility for containment and clean up of spills and abandoned materials on MTO highway facilities rests with the owner of the material and person in control of the material at the time of the spill or abandonment.

Where spills or abandoned materials occur on MTO highway facilities, MTO may assist where persons legally responsible cannot be located or are not able to respond. MTO assistance may include notification of authorities, provision of equipment and materials, and traffic management.

In the event of a spill of MTO material by MTO staff, MTO undertakes all notification containment and cleanup responsibilities required by provincial and federal legislation."

5.5.2 Policies and Procedures for Emergency Response

Appendix Q provides an outline of MTO emergency response policy.

5.6 AGGREGATES

Aggregates are a vital construction material required in large quantities for MTO undertakings.

The permit process regarding pits and quarries for MTO contracts requires extensive involvement of MTO with the local municipality, MNR and Niagara Escarpment Commission (NEC) if applicable during the clearance process. To avoid conflict between aggregate extraction and archaeological sites, the Ministry of Culture and Communications (MCC) is also involved. The local municipality and the Ministry of Environment and Energy (MOEE) are consulted regarding location of portable asphalt plants.

On private areas not designated under the Aggregate Resources Act, MTO issues a "Letter of Approval" to contractors which requires clearance and rehabilitation procedures for non-commercial pits. This process is similar to that for wayside pits for which permits are issued by MNR for sources in designated areas. A pre-contract engineering clearing process guarantees that for all unlicensed sources which are shown on the MTO Aggregate Sources List (ASL) a permit or a Letter of Approval will be issued to the contractor, unless it is otherwise indicated.

In light of the proclamation of the Aggregates Resources Act in 1990, MTO has undertaken an extensive updating of its internal policy for dealing with aggregate extraction. The new procedures are explained in Quality and Standards Directive B-14 which has been developed in consultation with MNR, MCC, MOEE, NEC, Ministry of Municipal Affairs, Ministry of Northern Development and Mines, and the Canada Department of Indian and Northern Affairs. The policy will be updated from time to time as required. In effect, this directive represents an interministerial protocol for handling MTO aggregate operations. The QST B-14 directive outlines new procedures ensuring MTO's compliance with the Aggregates Resource Act, the accompanying Ontario Regulation 702/89 and also incorporate procedures to address the recently revised Mining Act. Appendix G of the parent Class EA contains more detailed information on MTO procedures for Wayside Permits, Letters of Approval and Aggregate Permits. As well additional information is contained in Interpretive Bulletin 01.

5.6.1 Public Consultation for Aggregates

In order to address MOEE's request for a greater degree of public notification regarding MTO aggregate activities, the following actions can be undertaken:

1. At the Public Information Centre (PIC)

At the time of a PIC for an MTO provincial highways project that requires aggregates, as much information as available can be made available to the public regarding MTO aggregate activities (for example, estimated aggregate tonnages required, possible aggregate sites and likely haul routes). If project-specific information is not available at the time of the PIC, then MTO would not provide this information. In addition to the above, at the PIC the public can be informed that MTO's method of addressing its aggregate activities is through the provisions of other legislations (for example Aggregate Resources Act and Mining Act), and not through the EA Act. The standard wording identified for ESRs may also be used at PIC's (eg. as a display board), where aggregates may be a concern.

2. In the Environmental Study Report (ESR)

For a Group "B" project with aggregate concerns, the following standard wording can be included in the ESR:

"Aggregates (sand, gravel and/or crushed rock) are a vital construction material required for Ministry of Transportation (MTO) undertakings. The Aggregate Resources Act and the Mining Act ensure that environmental concerns associated with aggregate extraction operations are addressed. In accordance with these Acts, MTO reviews possible environmental concerns associated with project specific aggregate operations (excluding commercial licensed operations)."

In addition to the above-noted statement, as much information as available regarding MTO aggregate activities can be given to the public in the environmental documentation (for example, estimated aggregate tonnages required, potential aggregate sites and likely haul routes, etc.). If this project-specific information is not available at the time of the writing of the ESR, then MTO would not provide this information.

APPENDICES

APPENDIX A	FEDERAL ENVIRONMENTAL ASSESSMENT REQUIREMENTS
APPENDIX B	PROPOSAL
APPENDIX C	RECLASSIFICATION / "BUMP-UP" PROVISIONS
APPENDIX D	GROUP "B" PROJECTS - ALTERNATIVES
APPENDIX E	CONSULTATION PROCESS
APPENDIX F	CONTACT LISTS
APPENDIX G	SAMPLE NOTICES / LETTERS
APPENDIX H	PUBLIC INFORMATION CENTRES
APPENDIX I	OTHER CONSULTATION CONSIDERATIONS <ul style="list-style-type: none">• Freedom of Information and Protection of Privacy Act• French Language Services Act• First Nation Consultation
APPENDIX J	DATA SOURCES
APPENDIX K	PROJECT-SPECIFIC ENVIRONMENTAL PERMITS AND APPROVALS
APPENDIX L	EVALUATION METHODOLOGIES
APPENDIX M	ENVIRONMENTAL STUDY REPORT, REDUCED DOCUMENTATION LETTER AND ENVIRONMENTAL STUDY FILES
APPENDIX N	OTHER DOCUMENTATION
APPENDIX O	MTO RESPONSIBILITY FOR COMPLIANCE WITH ENVIRONMENTAL LEGISLATION ON PROJECTS WITH TENDERED CONTACTS
APPENDIX P	GROUP "C" SCREENING - TYPICAL QUESTIONS

- APPENDIX Q GROUP "D" ACTIVITIES - POLICIES AND PROCEDURES
- APPENDIX R ENVIRONMENTAL CONSIDERATIONS AND TYPICAL MITIGATION
- APPENDIX S MINISTRY OF TRANSPORTATION POLICY STATEMENTS AND GUIDELINES
- APPENDIX T OVERVIEW CLASS EA PROCESS MONITORING
- APPENDIX U GLOSSARY OF TERMS
- APPENDIX V MISCELLANEOUS INFORMATION

APPENDIX A

Federal Environmental Assessment Requirements



APPENDIX A - FEDERAL ENVIRONMENTAL ASSESSMENT REQUIREMENTS

THE FEDERAL ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS

The Environmental Assessment and Review Process (EARP) is an important planning tool for predicting the potential environmental consequences of proposals that require a federal government decision. It is a means to identify unwanted effects before they occur and determine appropriate mitigation measures. Further, it offers an opportunity to alter or abandon plans if major negative effects cannot be moderated.

EARP deals with the physical and biological aspects of development proposals: air, land, water, plants, animals and people. Its scope covers the potential environmental and directly related social effects of proposals; that is, effects that could bring adverse changes to the natural environment and the directly resulting effects that these changes could have on people.

EARP was established by the federal Cabinet in 1973 and adjusted by Cabinet decision in 1977. On June 22, 1984, the process was strengthened and updated when the Environmental Assessment and Review Process Guidelines were issued by an Order in Council under the Government Organization Act. The process is administered by the Federal Environmental Assessment Review Office (FEARO).

WHEN IS EARP USED?

EARP is used when a **federal** government department:

- intends to undertake any proposal of its own; or
- has the authority to make a decision about a proposal of another organization that:
 - might have an environmental effect on an area of federal government responsibility.
 - would require federal government financial commitment, or
 - would be undertaken on lands administered by the federal government, including the offshore.

Departments are also expected to ensure that Canadian activities do not bring about adverse effects in other countries (for example, environmental effects downstream).

When the decision-making authority for a proposal rests with, or is **shared** with, a province or territory, and there is federal involvement, EARP can be applied co-operatively with provincial environmental assessment processes. The intent is that both federal and provincial requirements be met without duplication. Note the

subsequent discussion in regard to the harmonization of federal / provincial EA requirements.

WHAT DOES FEARO DO?

FEARO oversees EARP, as applied throughout the Government of Canada, on behalf of the federal Minister of the Environment. The Office is headed by an Executive Chairman who reports to the Minister. Though FEARO receives administrative support from Environment Canada, it maintains an independent relationship with the department. This is necessary because Environment Canada can be a proponent or an initiator in a public review and is almost always an active participant in reviews.

THE CANADIAN ENVIRONMENTAL ASSESSMENT ACT

The Government of Canada drafted the Canadian Environmental Assessment Act (CEA Act) as a means of improving on the current EARP process. The CEA Act (Bill C-13), expected to be proclaimed in force in 1993, will replace the Federal Environmental Assessment and Review Process Guidelines Order (EARP Guideline). The CEA Act states that no decisions can be made by the federal government regarding approval of projects before an environmental assessment is conducted. There are four categories of decision-making which could "trigger" an environmental assessment being required under the CEA Act. They are, when the **federal** government:

- 1) is the proponent of a project;
- 2) makes federal funds available for a project;
- 3) makes federal lands available for a project; and,
- 4) evokes a statutory or regulatory provision which allows a project to proceed.

Some MTO projects can be expected to trigger the CEA Act because of the involvement of federal decision-making powers (evoking a statutory or regulatory provision which allows a project to proceed). Several ministries or agencies could be involved in one project's approval process.

For example:

- CN or CP, and the National Transportation Agency (NTA) could be involved where a rail line crossing is contemplated.
- Transport Canada involvement through the Railway Safety Directorate Surface Group (i.e. Notice of Certain Railway Work regulation), could also trigger federal EA requirements.

- The Department of Fisheries and Oceans would be required to ensure that an appropriate environmental review is undertaken should fish or fish habitat be potentially affected by, for example, construction near and/or affecting a stream.

Several other federal departments could also have responsibilities under the CEA Act for a particular project. **Where more than one federal department is involved, one will take the lead role on behalf of the federal government.** Under the CEA Act, the new Canadian Environmental Assessment Agency is to be consulted on a case by case basis as to which federal government department is to take the lead role.

The triggering of a federal EA would not relieve MTO of its obligations to fulfil provincial EA requirements. Similarly, the process described in MTO's Class EA does not replace or reduce federal requirements, if any are triggered.

REGULATIONS

The Bill includes two regulations that are critical to effective implementation of the proposed legislation. Draft regulations for both provisions have been tabled before the Legislative Committee.

One draft regulation is a list of 182 statutory or regulatory provisions defining a range of federal decision-making powers. Decisions, such as an approval by a federal agency like NTA, made under these provisions will trigger a federal environmental assessment. This list of regulations is only of interest to MTO in respect of an undertaking if "trigger" category 2 (see page A-2) apply.

A second draft regulation lists 36 projects or classes of projects likely to cause adverse environmental effects. Such projects will be subject to a comprehensive study that consider factors beyond those required for an environmental screening. They will be included on a Comprehensive Study List. This listing of projects will only be of concern to MTO if "trigger" categories 2, 3 or 4 (see page A-2) apply.

CONCLUSIONS

As indicated above, the federal EA process is currently evolving. Discussions are underway between the Ministry of the Environment and Energy, Special Projects Unit (who are involved in developing/negotiating the harmonization of the federal and provincial EA processes on behalf of the government of Ontario) and FEARO. Further, discussions between MTO and FEARO are on-going. Thus, final process details and documentation requirements are as yet to be resolved. As detailed information becomes available, it will be transmitted to the MTO Regional Environmental Units.



APPENDIX B

Proponency



APPENDIX B - PROPOENCY

"PRELIMINARY DRAFT"

Where someone other than MTO identifies the need for a project, then proponency and the EA process to be followed may become an issue. Where possible, this should be addressed and resolved early in the study process (see discussion in Section 2.2 of the manual).

There are a number of generalizations that can be made regarding the proponency / EA process issue:

- "Who initiates" the proposed work (i.e. who wants the work done now) is, in most cases, the basis for proponency. The exception is where the work is initiated externally, but MTO undertakes the design, in which case MTO follows the Provincial Highways Class EA and is the proponent.
- The following are not a basis for proponency:
 - "Who funds" the proposed work;
 - "Who constructs" the proposed work; and
 - "Who owns" the completed work.
- Other proponents can use the Provincial Highways Class EA for work on MTO facilities.
- Where an external proponent proposes to undertake work on MTO facilities, which meets the Provincial Highways Class EA description of a Group "B" project, they must follow the Class EA process unless they have an appropriate alternate Class EA process to follow (for example, Class EA for Municipal Road Projects).

Numerous variations on the MTO / Municipal and MTO / Private proponency situation can be identified, however, some are of no interest to MTO, and others are extremely unlikely to occur. The nine proponency situations of interest to MTO are outlined as follows:

Proponency Situation # 1

Project Initiated by (i.e. who wants work now):	MTO
Project Designed by:	MTO
Project Constructed by:	MTO
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Most MTO projects.

Proponency Situation # 2

Project Initiated by (i.e. who wants work now):	MTO
Project Designed by:	MTO
Project Constructed by:	Municipality
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Where the municipality is constructing an adjacent project and is willing to include the MTO work at MTO cost.

Proponency Situation # 3

Project Initiated by (i.e. who wants work now):	MTO
Project Designed by:	MTO
Project Constructed by:	MTO
Completed Facility Owned by:	Municipality
Whose Class EA the Project is Defined by:	MTO & Municipal
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Where a new / reconstructed municipal road is necessary as a result of an MTO undertaking (e.g. new service road to connect municipal roads severed by construction of MTO controlled access highway) and MTO implements construction in association with the MTO undertaking.

Proponency Situation # 4

Project Initiated by (i.e. who wants work now):	MTO
Project Designed by:	MTO
Project Constructed by:	Municipality
Completed Facility Owned by:	Municipality
Whose Class EA the Project is Defined by:	MTO & Municipal
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Where a new / reconstructed municipal road is necessary as a result of an MTO undertaking (e.g. new flyover to connect municipal road that is severed by construction of MTO controlled access highway) and the municipality implements construction, at MTO cost, in association with an adjacent municipal undertaking.

Proponency Situation # 5

Project Initiated by (i.e. who wants work now):	Municipality
Project Designed by:	Municipality
Project Constructed by:	MTO
Completed Facility Owned by:	Municipality
Whose Class EA the Project is Defined by:	Municipal
Proponent:	Municipality
Whose Class Process is Utilized:	Municipality

Example: Where MTO is constructing an adjacent project and is willing to include the municipal work, at municipal cost (e.g. municipal road improvements at terminus of improvements to MTO interchange ramps).

Proponency Situation # 6

Project Initiated by (i.e. who wants work now):	Municipality
Project Designed by:	Municipality
Project Constructed by:	Municipality
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO & Municipal
Proponent:	Municipality
Whose Class Process is Utilized:	Municipality

Example: Where the municipality wants / needs changes to an MTO facility which MTO currently would not build and / or does not need.

Proponency Situation # 7

Project Initiated by (i.e. who wants work now):	Municipality
Project Designed by:	MTO
Project Constructed by:	Municipality
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Where the municipality wants / needs changes to an MTO facility for which MTO has completed the design and then stockpiled the project.

Proponency Situation # 8

Project Initiated by (i.e. who wants work now):	Private
Project Designed by:	Private
Project Constructed by:	Private
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO
Proponent:	Private
Whose Class Process is Utilized:	MTO

Example: Where a private individual, partnership, corporation wants / needs changes to an MTO facility which MTO currently would not build and / or does not need.

Proponency Situation # 9

Project Initiated by (i.e. who wants work now):	Private
Project Designed by:	MTO
Project Constructed by:	MTO
Completed Facility Owned by:	MTO
Whose Class EA the Project is Defined by:	MTO
Proponent:	MTO
Whose Class Process is Utilized:	MTO

Example: Where a private individual, partnership, corporation wants / needs changes to an MTO facility which MTO would have designed and built anyway, and timing / opportunity provide for private funding (at least in part) for the change.

APPENDIX C

Reclassification / "Bump-Up" Provisions



APPENDIX C - RECLASSIFICATION / "BUMP-UP" PROVISIONS

Project reclassification can be initiated either by MTO or by external agencies, interest groups and the public. Possible reclassification scenarios are identified in Exhibit C-1. The more important ones are discussed in the following sections.

1.0 Reclassification

MTO can reclassify a specific project from:

- a Group "B" project to a Group "A" project or vice versa
- a Group "C" project to a Group "B" project or vice versa
- a Group "C" project to a Group "A" project (very unusual)

Reasons for reclassifying a project include:

- where the nature of the scope of the project changes;
- where major environmental concerns are identified (either by MTO or others) as the project develops;
- in response to concerns expressed by external agencies and / or the public.

The need for a reclassification can be identified by either the project manager or the environmental planner. In either case it is brought to the attention of the Regional Environmental Unit supervisor who reassigns the EA classification. A sample reclassification memo is provided in Appendix N.

2.0 "Bump-Up" Provision

The reclassification of a specific Group "B" project to a Group "A" project may be requested by affected individuals, groups or government agencies. When the reclassification request is made by someone outside of MTO, it is referred to as a "bump-up" request.

The formal process for addressing a "bump-up" request is provided in Section 3.4 of the parent Class EA. While ideally this is how the process should work, in reality, the process is more nebulous and so the experience and professional judgement of the project manager and the environmental planner will play a major role. The information from the Class EA is expanded here to illustrate this.

EXHIBIT C-1**POSSIBLE RECLASSIFICATION SCENARIOS**

(Note: MTO can do any of the following reclassifications voluntarily)

Scenario	Provided By	Can Be Initiated By	Comments
B → A	MTO Class EA	external agencies, interest groups, public	<ul style="list-style-type: none"> - termed "bump-up" - applies to specific projects only - see discussion in Section 2 of this appendix
B → A	MTO Class EA	MTO	<ul style="list-style-type: none"> - termed "reclassification" - intended to apply to specific projects only - see discussion in Section 1 of this appendix
B → A	EA Act	external agencies, interest groups, public	<ul style="list-style-type: none"> - termed "request for reclassification" - where Minister of the Environment and Energy is requested to reclassify a generic Group "B" subgroup to Group "A" status
A → B	MTO Class EA	MTO	<ul style="list-style-type: none"> - termed "reclassification" - see discussion in Section 1 of this appendix
C → B	MTO Class EA	MTO	<ul style="list-style-type: none"> - termed "reclassification" - intended to apply to specific projects only - see discussion in Section 1 of this appendix
C → B	MTO Class EA	external agencies, interest groups, public	<ul style="list-style-type: none"> - termed "reclassification" - applies to generic Group "C" subgroups - where Minister of the Environment and Energy is requested to direct MTO to amend MTO Class EA
B → C	MTO Class EA	MTO	<ul style="list-style-type: none"> - termed "reclassification" - intended to apply to specific projects only - see discussion in Section 1 of this appendix
C → A	EA Act	external agencies, interest groups, public	<ul style="list-style-type: none"> - termed "reclassification" - could apply to a specific project or to a generic Group "C" subgroup - highly unlikely

The initial notice to the public and potentially affected agencies and groups outlines the importance of discussing any concerns with MTO and the right of any person to request a "bump-up" where these cannot be resolved. In addition, this information is also displayed at a public information centre, if one is held.

The "bump-up" process may be initiated at any time during the EA process up to the termination of the 45-day ESR (or Reduced Documentation Letter) public review period or during the 10-day ESR addendum review period. However, it is hoped that a party having a concern with a project will bring it to the attention of MTO early in the planning process when there is greater flexibility and opportunity to deal with identified concerns.

2.1 Process to be Followed When a Concern is Expressed to MTO

The following process is followed when a concern is expressed to MTO:

- 1) *When a person brings a concern to the attention of MTO (the proponent), MTO responds to the concern and attempts to reach a resolution. Initially, a person may express his / her concern verbally, submit it in a written format or identify it on a public information centre comment sheet. Where a person expresses a verbal concern, he / she is advised by MTO to follow it up in writing.*

The project manager and environmental planner in turn address the concern and respond to the person in a written format. In some cases the initial concern can be addressed and resolved. Often, however, contact with the person is an interactive process comprising verbal communication (for example, telephone calls), meetings, etc. It is imperative that thorough documentation of any associated discussions, meetings, etc., be prepared and kept on file.

Identified concerns will vary in terms of their significance and / or the level of detail required to address them. This in turn affects the manner in which MTO responds. For example, if a concern is expressed in the planning stage of a project about an issue that will be addressed during detail design, then the person should be advised of this. On the other hand, if a concern is expressed in the planning stage about the need for the project then the concern should be resolved, if possible, at that time.

In many cases discussions / negotiations to resolve concerns will likely occur over a period of time during the course of a project. While the project manager and environmental planner should ensure that all reasonable attempts are made to reach an acceptable solution, in some

cases there may be some issues which cannot be resolved. They will have to be identified and recognized by MTO as such.

For highly complex projects where there appears to be a high probability for a "bump-up" to be requested, the project manager and environmental planner should ensure that the project is carried out to meet the requirements of an individual EA, i.e. appropriate level of detail, appropriate process. If this is apparent at the outset of the project, then the project may be a candidate for an Environmental Assessment Proposal (see Section 3.3.2.2) or a reclassification.

- 2) *If the concern cannot be resolved through discussions and negotiations with MTO, the person will be advised of his / her right to request a "bump-up". During the course of the discussions and / or meetings when it becomes apparent that the concern is not going to be resolved, MTO informs the person of his / her right to request a "bump-up". The person is advised that he / she should make a written request to the Minister of the Environment and Energy. All discussions should be well documented. In addition, MTO advises the person of the foregoing by registered letter.*
- 3) *The person may request MTO to voluntarily initiate a "bump-up". Again if this is done verbally, the person is advised to submit his / her request in writing. If MTO feels that a "bump-up" is inappropriate and the person wishes to pursue the matter further, then MTO advises the person that he / she should make a written request to the Minister of the Environment and Energy. It should be noted that both MTO and the Ministry of the Environment and Energy (MOEE) interpret the foregoing to mean that the person must make a written request. All discussions should be well documented. In addition, MTO advises the person of the foregoing by registered letter.*

2.2 Formal "Bump-Up" Request Submitted to MOEE

Upon the receipt of a "bump-up" request, the Minister of the Environment and Energy advises MTO thereby establishing the commencement of the Minister's 45-day decision period (or 10-day decision period where an addendum to an ESR is involved). The Minister requests MTO and the concerned person to provide information explaining their respective positions and further meetings are held to attempt to resolve the issues.

Ideally, a person will submit a "bump-up" request to the Minister of the Environment and Energy with a copy to MTO. More often, a person may submit to the Minister only. Sometimes a person may submit to MTO only,

even after MTO advises them to submit to MOEE. When MTO is made aware of a "bump-up" request, the following should be contacted:

- MTO Project Manager
- MTO Regional Environmental Unit
- MTO Environmental Office
- MTO Head of Planning and Design
- MTO Manager of Engineering and ROW
- MTO Scheduling Coordinator
- other MTO regional offices as appropriate
- MOEE - EA Branch

MTO provides an information package to MOEE reviewing the history of the discussions / contact with the person requesting the "bump-up". A meeting(s) with MOEE, the concerned person and MTO should be arranged as a final attempt to resolve the issues.

During the course of the foregoing a briefing note for the Minister of Transportation should be prepared advising of the "bump-up" request and its status.

The exact moment when a "bump-up" is initiated is not always distinct. Legally and as approved in the Class EA, a "bump-up" is initiated upon a written request being submitted to the Minister of the Environment and Energy. In actuality, however, variations on this may occur which in turn may be accepted by MOEE. For example, a person may submit a written concern to MTO during the course of the study, not respond to MTO's follow-up and then submit a "bump-up" request following the 45-day public review. Although this does not correspond to the approved Class EA, in practice it has occurred and has been considered by MOEE to be a valid "bump-up" request.

2.3 Minister of the Environment and Energy's Course of Action

Based on the foregoing the Minister of the Environment and Energy shall make one of the following decisions within the review period. If the Minister does not make a decision within the review period, then the process becomes open-ended. Therefore MTO will not proceed with the project until the Minister has made a decision.

Decision I: Deny

If the Minister decides to deny the "bump-up" request, the Minister will inform the person and MTO that the project may proceed.

Decision II: Deny with Conditions

In some cases, the Minister's decision to deny may include certain conditions. The Minister will inform the person and MTO of the decision, and shall state reasons and conditions. If a "bump-up" request is denied with Minister's conditions, MTO will fulfil the conditions when implementing the project.

Decision III: Decision with Additional Information

In the event the Minister perceives that there are critical deficiencies in the documentation submitted by the MTO, then MTO may be required to submit additional information in order to assist in the decision. The Minister may then have up to 15 additional calendar days from the date of receipt of the additional information in which to make a decision. The Minister will notify the person and MTO of the decision.

Decision IV: "Bump-Up"

If the Minister decides to grant a "bump-up", MTO and the person will be so informed, with reasons.

MTO will then be required to do one of three things:

- *submit an individual environmental assessment for the project; or*
- *attempt again to resolve the issue with the person requesting the "bump-up"; or*
- *modify, defer or cancel the project.*

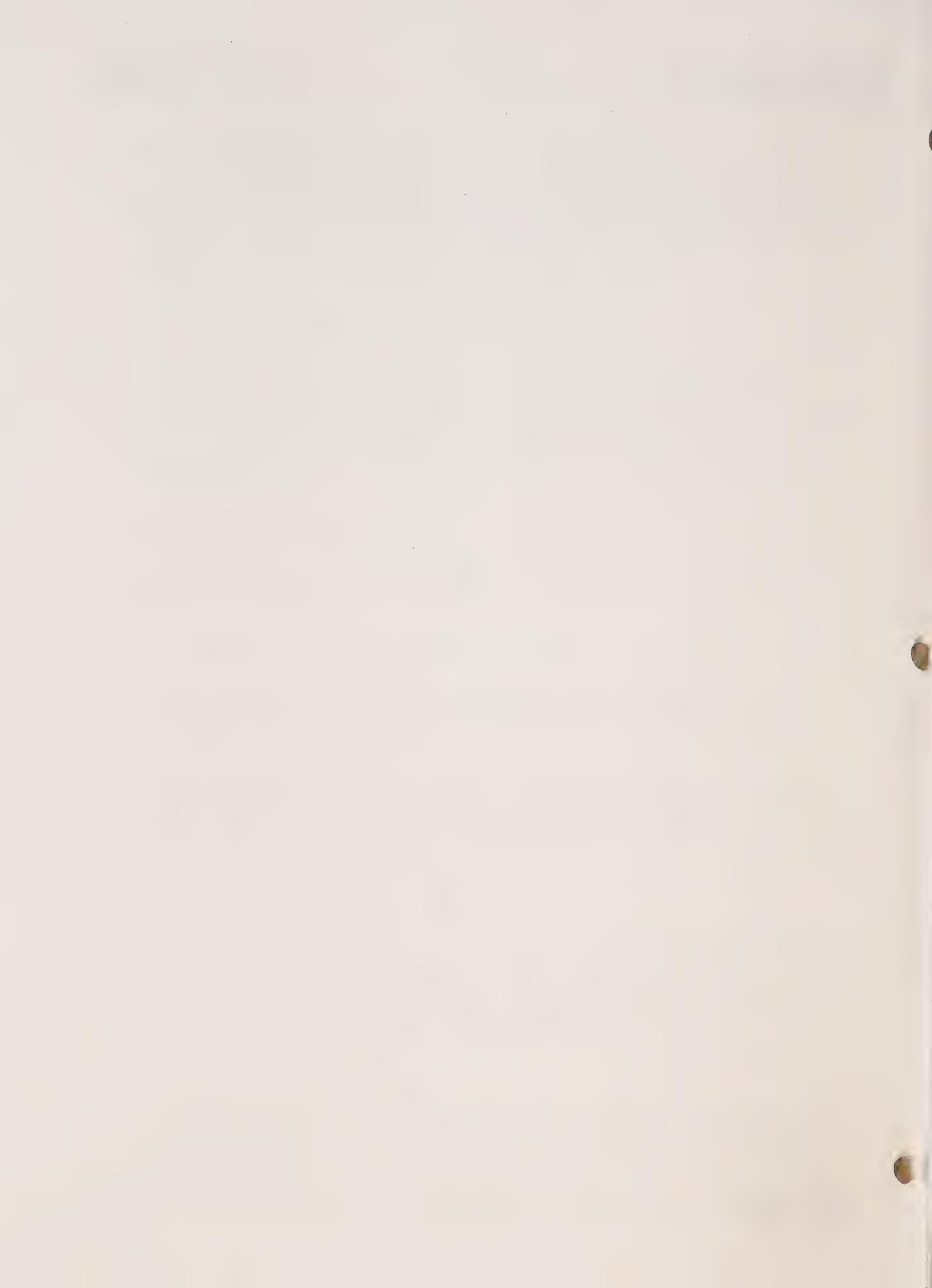
Throughout the review period, it is advisable for MTO to be proactive and to take the initiative, i.e. follow-up the MOEE - EA Branch and maintain the contact. In some cases additional follow-up with the person making the "bump-up" request may be appropriate.

2.4 Activities During a "Bump-Up" Request

The resolution of a "bump-up" request could require additional time and could affect the project "environmental clearance" (see Section 3.4) and therefore might affect the timing of project implementation. Expropriation and/or road closing hearings should not be initiated if possible when a "bump-up" decision is pending, but any activities which are normally allowed prior to completion of the public review period can continue.

The activities which can continue and / or occur during a "bump-up" request vary depending on the stage of the project at the time that the request is submitted. Therefore the activities have to be assessed on a project-specific

basis. For example, if the request is submitted during detail design, MTO may have already purchased property. On the other hand, if the request is submitted during preliminary design when property has not been purchased, then MTO would not proceed to purchase property.



APPENDIX D

Group "B" Projects - Alternatives



APPENDIX D - GROUP "B" PROJECTS - ALTERNATIVES

Separate sets of alternatives are considered at various stages in the decision-making process as a project (i.e. an undertaking) progresses through the planning, preliminary design and design stages. Generally, alternatives considered during the planning stage are referred to as "alternatives to the undertaking" while those considered during the preliminary design and the design stages generally relate to the "alternative methods (or ways) of carrying out the undertaking". The latter can be carried out on two levels, specifically, preliminary design and detail design. The Class EA provides a discussion of reasonable alternatives, however, the specifics are addressed individually for each project.

The following provides general comments about the reasonable alternatives that may be considered for the five basic types of Group "B" projects, namely:

- Realignments - see Section 1
- Improvements to existing highways and freeways - see Section 2
- New interchanges or modifications to existing interchange - see Section 3
- New or modified water crossings and watercourse alterations - see Section 4
- Highway service facilities - see Section 5

It should be noted that it is appropriate to consider the "do nothing" alternative at the beginning of each project. The "do nothing" or "no build" alternative is defined as the continued maintenance of existing facilities or services. Its purpose is to provide a realistic benchmark or baseline for an assessment of net benefits and environmental condition changes associated with each alternative.

While the "do nothing" alternative will seldom meet the objectives of carrying out a project or resolve the identified deficiencies which are being addressed, its comprehensive evaluation provides the baseline against which the effects of other alternatives can be compared, and provides a means to determine if any of the proposed alternatives are worthwhile.

1.0 REALIGNMENTS

1.1 "Alternatives to the Undertaking"

The main "alternatives to" are discussed as follows:

1.1.1 Do Nothing (see discussion p. D-1)**1.1.2 Alternative Modes: (Roads, Transit, Rail, Water, Air)**

If capacity deficiencies are identified within or near a large urban area or, within an inter-urban corridor, the ability of other modes to address the identified deficiencies are normally considered. These alternatives may include transit modes such as bus, light rail or subway for short distance trips, and might extend to heavy rail, bus, or air options for longer distance travel demands. These "other mode" alternatives will usually not be appropriate in low volume areas where passenger origins and destinations are very dispersed. However, low volume transit options may be considered to resolve specific transportation needs for special market segments such as the elderly or handicapped.

The capacity of these modes would be matched to the demands and the trip characteristics of the users. In most instances where a provincial highway deficiency is identified, the non-auto modes form such a small part of the current and potential total travel demand that they do not represent a reasonable alternative to improving the existing highway.

1.1.3 Alternative Road Solutions**a) Traffic management (Group "C" Project)**

Traffic management is a method of increasing the efficiency of the use of existing facilities in order to provide increased levels of capacity, service and safety. The methods employed are particularly applicable to urban freeway corridors. Generally, these alternatives do not involve significant construction activities or changes to the structure of the roadway itself and are therefore called "non-structural" improvements.

Traffic management can take a number of forms. The most common of these are:

- Managing of vehicular flow by controlling vehicles entering a facility through ramp metering and signal controls; controlling, regulating and guiding traffic flow; providing priority to selected vehicles such as buses or carpools; and corridor control by diverting traffic from overloaded facilities to those with excess capacity.
- Managing travel demand by encouraging the use of fewer vehicles and off-peak use of facilities. Techniques include the use of staggered hours and flexible work time, ride-sharing, provision of park and ride facilities and transit service improvements.

- Monitoring traffic flows to detect and resolve delay-causing or unsafe conditions and the employment of remedial counter-measures to restore the normal service capacity.

b) Diversion of traffic to other roads (Group "C" Project)

Capacity, structural or safety deficiencies on one facility can potentially be reduced by permanently diverting traffic to another existing road serving the same corridor and which may have excess capacity. Limitations on the use of this alternative include conflicting design standards and functions (e.g. regional high speed or arterial roads versus multiple access or arterials), land use impacts and jurisdictional difficulties.

c) Correction of a deficiency elsewhere in the system

Traffic deficiencies at one location may be the direct result of a deficiency elsewhere in the roadway system. This may result in channelling of excess traffic onto one facility and the creation of safety or capacity problems.

To further complicate this matter, a deficiency on a local road may create problems on a Provincial facility. As these roads are under separate jurisdictions there may be implementation problems with this type of alternative.

d) Improvement to the existing facility (Group "B" or Group "C" Projects)

Major improvements are considered Group "B" projects while minor highway improvements and maintenance works are considered Group "C" projects. For example, the provision of additional lanes for vehicles, buses only or high occupancy vehicles is considered to be a Group "B" project. The use of existing lanes for the foregoing is considered to be a Group "C" project. Group "C" projects would typically involve correction of pavement structural deficiencies or safety problems by resurfacing with new or recycled materials; minor drainage work, ditch cleanout and culvert repairs; intersection and entrance improvements; shoulder treatments such as partial paving or asphalt emulsion application; placement of guide rail; and minor repairs to bridges. This type of work would only be appropriate to resolve relatively minor structural or safety related deficiencies and would not solve capacity or other functional problems.

e) Closure of the existing facility

In some cases, closure of the existing facility may be a possible solution.

f) **Realignment (Group "B" Project)**

Due to the significant effects associated with improving an existing highway it may be appropriate to consider a realignment. A realignment is defined as the replacement or upgrading of an existing highway on a new or revised alignment.

g) **New highway (Group "A" Project)**

If deficiencies are very large or if for some reason there are constraints on the improvement of an existing facility within its transportation corridor, the provision of a new highway may be a reasonable alternative. This alternative would frequently be appropriate when development adjacent to an existing facility which preclude the addition of lanes or alteration of alignment, for example in an urban area. An individual environmental assessment would be prepared for a new highway.

1.2 "Alternative Methods of Carrying Out the Undertaking"

When it has been determined that a realignment is the preferred solution then "alternative methods of carrying out the project" need to be identified and assessed.

1.2.1 Alternative Routes

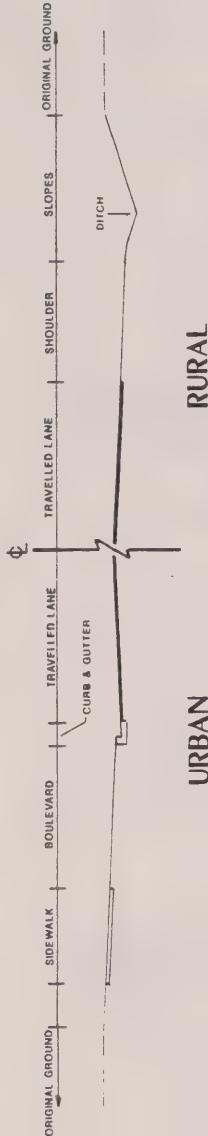
Alternative routes are developed to meet the transportation needs and to minimize effects on the natural, social, economic and cultural environment within the study area.

1.2.2 Alternative Design Features

When a preferred alternative route is determined in planning, it is subsequently considered at a preliminary design level of detail and then refined at a detail design level of detail. The following are determined:

- horizontal alignment including curves, intersections and railway crossings.
- vertical alignment ie. the grade of the roadway.
- cross-section including number of lanes, median width, lane width, shoulder width, need for sidewalks, urban versus rural, provision of transit, drainage characteristics (see Exhibit D-1).
- intersection/interchange requirements ie. turning lanes, channelization, need for signals.
- structural requirements including culverts, bridges etc. (see Exhibit D-2).
- other requirements e.g. illumination, signing, staging, construction materials etc.

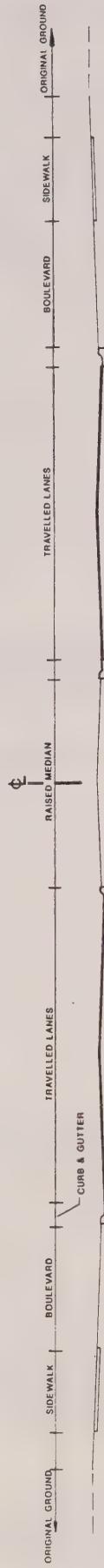
TYPICAL CROSS-SECTIONS



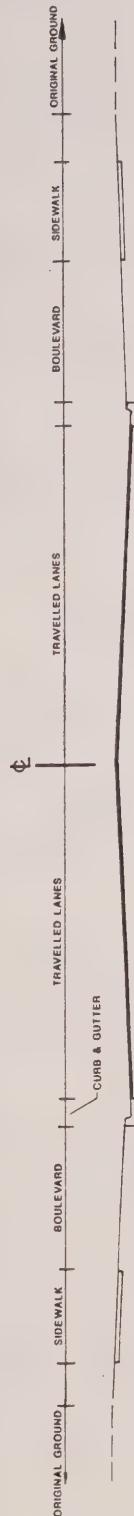
RURAL

URBAN

FREE WAY



URBAN (DIVIDED)



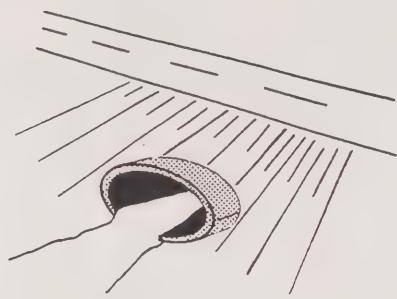
URBAN (UNDIVIDED)

ARTERIAL VERSUS FREEWAY

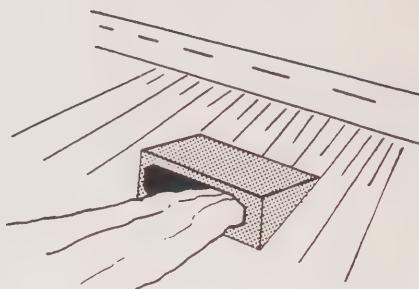


EXHIBIT D-1

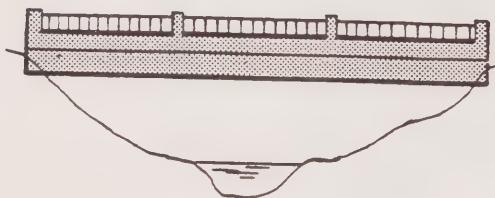
STRUCTURAL CONSIDERATIONS



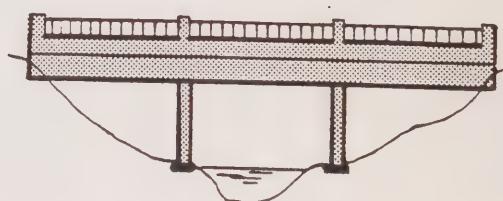
PIPE CULVERT
(STEEL, CONCRETE, PLASTIC)



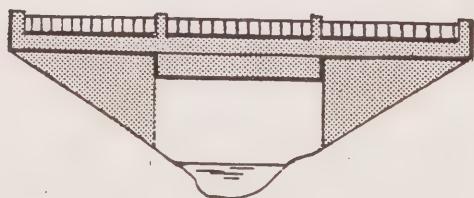
CONCRETE BOX
(REINFORCED)



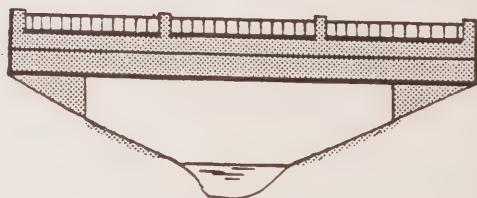
SINGLE SPAN BRIDGE



MULTISPAN BRIDGE



RECTANGULAR BRIDGE
(CLOSED ABUTMENTS)



SPILLTHROUGH BRIDGE
(PERCHED ABUTMENTS)

2.0 IMPROVEMENTS TO EXISTING HIGHWAYS AND FREEWAYS

2.1 "Alternatives to the Undertaking"

The main "alternatives to" are discussed as follows.

2.1.1 Do Nothing (see discussion on p. D-1)

2.1.2 Alternative Modes (Road, Transit, Rail, Water, Air) (see discussion in Section 1.1)

2.1.3 Alternative Road Solutions (see discussion in Section 1.1)

- a) Traffic management.
- b) Diversion of traffic to other roads.
- c) Correction of a deficiency elsewhere in the system.
- d) Improvement to the existing facility.
- e) Realignment.
- f) New highway.

These are discussed in detail in Section 1.1.

2.2 "Alternative Methods of Carrying Out the Undertaking"

When it has been determined that an improvement to the existing highway or freeway is the preferred solution, then "alternative methods of carrying out the project" need to be identified and assessed.

The main "alternative methods" are alternative design features which may be considered at a preliminary design level of detail and then refined at a detail design level of detail. The following may be considered:

- adjustments to the horizontal alignment;
- adjustments to the vertical alignment ie. elevating or lowering the grade;
- adjustments to the cross-section including, addition of lanes, adjustments to lane width/median width/shoulder width, addition of sidewalks and/or curb and gutter, provision of transit, drainage characteristics (see Exhibit D-1);
- intersection improvements ie. addition of speed-change lanes or turning lanes, channelization etc.;
- structural requirements including replacement and modification of culverts; bridge requirements etc.;
- other requirements, e.g. illumination, signing, staging, construction materials etc.

3.0 NEW INTERCHANGES OR MODIFICATIONS TO EXISTING INTERCHANGES

3.1 "Alternatives to the Undertaking"

The main "alternatives to" are discussed as follows.

3.1.1 Do Nothing (see discussion on p. D-1)

3.1.2 Alternative Road Solutions:

- a) Traffic management.
- b) Diversion of traffic to other roads.
- c) Correction of a deficiency elsewhere in the system.
- d) Improvement to the existing facility.
- e) Closure of the existing facility.

Alternatives a) to e) are discussed in Section 1.1 of this appendix.

- f) Construction of a grade separation/at-grade intersection/new interchange. Depending on the level of traffic volumes at a road/road or crossing, construction of a grade separation or an at-grade intersection or a new interchange may be required.

3.2 "Alternative Methods of Carrying Out the Undertaking"

When it has been determined that a new or modified interchange is the preferred solution, then alternative interchange locations are assessed. Upon determining a preferred location, there are a number of alternative designs which can be considered depending on the nature of the site, transportation requirements and environmental factors.

The three basic types of interchange design are: parclo, diamond and directional. These are shown in Exhibit D-3. It should be noted, however, that the types of interchanges outlined in this section are only intended to illustrate the principle aspects of interchange design. Numerous variations of these general interchange types exist, as interchanges are of necessity designed to suit the site specific characteristics of the intersecting roadways, traffic volume and adjacent areas.

The interchange configuration for the selected design alternative is dependent on the assessment of a number of design options. The design options associated with any interchange design typically involve such concerns as:

- *location of ramps - the arrangement, number, configuration, and cross-section of the ramps, for through and turning traffic movements;*
- *geometrics - entrance and exit requirements and configurations;*
- *structure type and number required;*
- *other requirements - signing and safety or traffic controls, drainage requirements etc.*

The selection and development of the most appropriate design options is based upon site specific engineering, transportation, and environmental factors, which include:

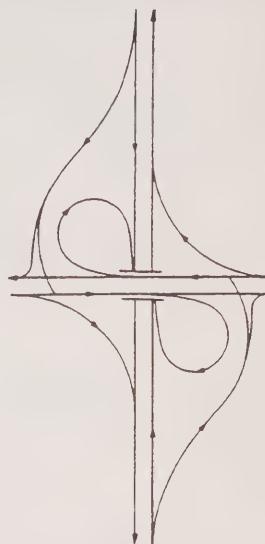
- *pattern and volume of traffic;*
- *composition of traffic (commercial, private, etc.);*
- *design speed;*
- *topography*
- *available right-of-way;*
- *type of intersecting roadways;*
- *safety;*
- *economics;*
- *environmental considerations.*

Accordingly, the modification or redesign of existing interchanges due to geometric, structural or capacity deficiencies may take on a wide variety of characteristics.

DESIGN ALTERNATIVE 1 - PARCLO INTERCHANGE

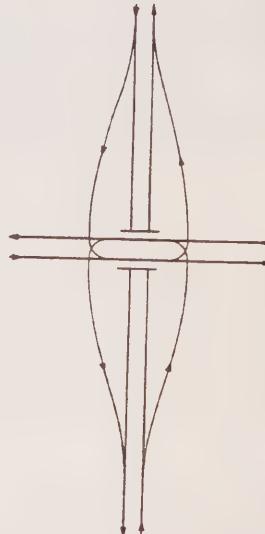
The parclo interchange would normally have the following design features:

- utilizes low speed loop ramps in combination with higher speed ramps, for exiting and entering traffic movements;
- may require traffic signals at ramp terminals;
- usually involves only one structure;
- may require significant property.

**DESIGN ALTERNATIVE 2 - DIAMOND INTERCHANGE**

The diamond interchange would normally have the following design features:

- may require traffic signals to facilitate left turn movements at ramp terminals;
- free flow of traffic is limited, due to the stop condition, signalization and multiple turning movements;
- usually involves only one structure;
- requires minimum property.



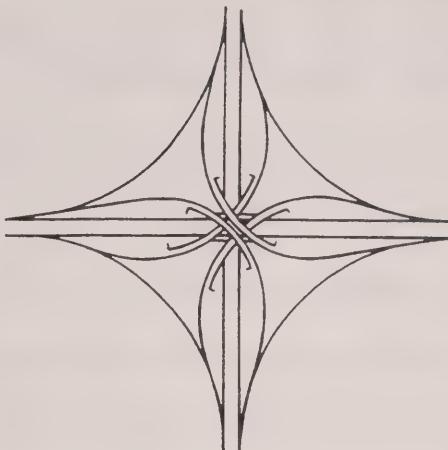
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EXHIBIT D-3

DESIGN ALTERNATIVE 3 - DIRECTIONAL INTERCHANGE

The directional interchange would normally have the following design features;

- *provides direct connections for all high volume traffic movements (eliminating left turn conditions);*
- *usually involves more than one structure;*
- *requires significant property*



(page 2 of 2)

EXHIBIT D-3

4.0 NEW OR MODIFIED WATER CROSSINGS AND WATERCOURSE ALTERATIONS

4.1 "Alternatives to the Undertaking"

When it is determined that a deficiency exists related to a water crossing on a Provincial highway facility, the main "alternatives to" that are considered are as follows:

4.1.1 *Do Nothing* (see discussion on p. D-1).

4.1.2 *Alternative Modes (Road, Water)* (see Section 1.1)

4.1.3 *Alternative Water Crossing Solutions*

- a) *Traffic management.* (see Section 1.1)
- b) *Diversion of traffic to other roads and water crossings.* (see Section 1.1)
- c) *Correction of a deficiency elsewhere in the system.* (see Section 1.1)
- d) *Modification to the existing facility with non-structural improvements such as signing or traffic controls. In the case of structural deficiencies, restrictive signs limiting loads or trucks would be considered.*
- e) *Improvement to the existing facility.*
- f) *Closure of the existing facility. This would be considered where extreme structural deficiencies are identified and where rehabilitation is not warranted.*
- g) *Realignment of the existing water crossing.*
- h) *New water crossing - road or ferry.*

Alternatives a) to e) are more applicable to secondary and tertiary highways than King's highways. Hydraulic deficiencies may cause problems with existing roadway water crossings and with riparian properties. The alternatives to correcting these deficiencies are to do nothing or to eventually close the facility.

There may be some circumstances where a water body is of such width or has navigational requirements that a tunnel or ferry system would be considered.

4.1.4 *Alternative Watercourse Solutions*

- *Modify structure type*
- *Diversion of the watercourse*
- *Modify highway alignment*
- *Streambank stabilization*

4.2 *"Alternative Methods of Carrying Out the Undertaking"*

When it is determined that a new or modified water crossing is the preferred solution then "alternative methods of carrying out the undertaking" are assessed. The five basic design alternatives are:

- *culvert,*
- *bridge,*
- *causeway,*
- *channel design, and*
- *combination of the foregoing.*

The hydrological factors influencing the development of the design options outlined in this section may include:

- *magnitude of design flood;*
- *effects of backwater from floods up to and including the "regulatory flood";*
- *scour and erosion;*
- *ice and debris jamming potential;*
- *hydrological requirements of other agencies;*
- *accommodation of future channel improvements.*

4.2.1 *Culverts (and associated fill embankments)*

The basic design options considered in the development of a culvert design are:

a) The culvert type and materials;

- *Pipe Culverts*

Most of the pipe culverts used by MTO are corrugated steel, precast concrete or plastic.

- *Concrete Box (Reinforced)*

A concrete rigid culvert is either precast or cast-in-place.

b) Fill embankments associated with culverts;

The placement of fill embankments within a watercourse, (including its floodplain), may result in increased velocities and backwater levels through constriction of floodflow. Therefore, selection of type and size of culvert must take into consideration the degree of constriction permissible at a given crossing.

When an extensive embankment with one or more culverts is constructed over a body of water, the section of roadway may be referred to as a causeway.

4.2.2 Bridges (and associated approach embankments)

The basic design options considered in the development of a bridge design are:

a) *The length of bridge:*

- *A single span bridge design consisting of a deck supported by abutments.*
- *A multispan bridge design consisting of a deck supported by abutments at the approaches and one or more piers. The piers may or may not be located within the waterway.*

Longer single spans may be warranted where the placement of piers in the waterway would result in significant detrimental environmental impacts.

b) *The type of bridge opening:*

- *A rectangular bridge opening with closed abutments.*
- *A spillthrough bridge design with perched abutments.*

c) *The type of material:*

- *Steel girders.*
- *Concrete.*
- *Wood.*

d) *The approach embankments associated with bridges:*

- *The placement of approach embankments within a watercourse (including its floodplain) may result in increased velocities and backwater levels during peak flow periods through constriction of floodflow.*
- *Extensive approach embankments constructed over a body of water may be referred to as a causeway.*

4.2.3 Causeway

A causeway is a combination of a bridge or a culvert and earth or rock fill extending into a watercourse. A section of roadway constructed over a wetland area without the use of a culvert or bridge, which is therefore dependent on subsurface drainage, may also be referred to as a causeway.

4.2.4 *Channel Design*

Should it be determined that a watercourse alteration is preferred, consideration will be given to alternative types of channel protection, etc.

5.0 **NEW HIGHWAY SERVICE FACILITIES**

5.1 *"Alternatives to the Undertaking"*

The "alternatives to" the construction of new highway service facilities, which would be considered to address the specific problems or deficiencies identified are discussed as follows.

5.1.1 *Do Nothing (see discussion on p. D-1)*

5.1.2 *Alternative Solutions*

- *Increase capabilities of the existing facilities*
- *Provision of mobile or temporary facilities.*
- *New facility.*

5.2 *"Alternative Methods of Carrying Out the Undertaking":*

When it has been determined that a new service facility is the preferred solution, the "methods of carrying out the undertaking" need to be identified and assessed. These generally relate to alternative site locations and physical plant design. They are usually considered at a preliminary design level of detail then refined during detail design.

5.2.1 *Alternative Site Locations*

The choice of a site for a facility will usually involve the evaluation of a number of sites based on the specific design requirements for the facility to be built. For example, 2 or 3 sites are usually considered for patrol yards ranging in size from 2 to 4 hectares depending on use, ultimate development and any buffer zone requirements.

Many factors influence the identification of a site including:

- *suitability of site to provide present and forecast level of service*
- *acquisition and development costs*
- *availability of property*
- *soil and drainage considerations*
- *adjacent land use compatibility*
- *traffic operational considerations (e.g. safety for ingress and egress)*

- direct access to the highway to be serviced or via an interchange to a controlled access highway
- within a defined area of search
- proximity of commercial vehicle service facilities to truck inspection stations
- availability of hydro, telephone
- availability of potable water
- potential for salt contamination problems
- potential for trucks to bypass truck inspection stations
- ability to meet the requirements of Part VII of the Environmental Protection Act for sewage disposal systems
- presence of existing commercial facilities
- topographic factors, such as flood-plains.

Additional factors may be considered as dictated by the specific project.

5.2.2 Alternative Design Features

The design for each type of highway service facility is fairly standard. The types of highway service facilities normally included are described below.

Patrol Yards

Facilities included in a patrol yard include garages, sand and salt domes, material stockpiles, vehicle parking and storage areas, fuel pumps, and office complex. Modifications or deletions to facilities occasionally occur to conform to land area, specific service requirements or fiscal constraints.

Design changes that encourage conservation of space are considered. An example might be to erect larger sand and salt domes in order to increase storage capacity. Patrol facilities are often built in stages to accommodate financial constraints and current service needs. For example, asphalt surfacing of roads and parking areas may be deferred. Normal site size is 2 to 4 hectares.

Truck Inspection Stations

Facilities included in a truck inspection station include ramps, storage area, weigh scales, and office complex. However, options in layout and building dimension are available according to factors such as the highway classification being served and staffing characteristics. Normal site size is 2 to 4 hectares.

Winter Maintenance Facilities

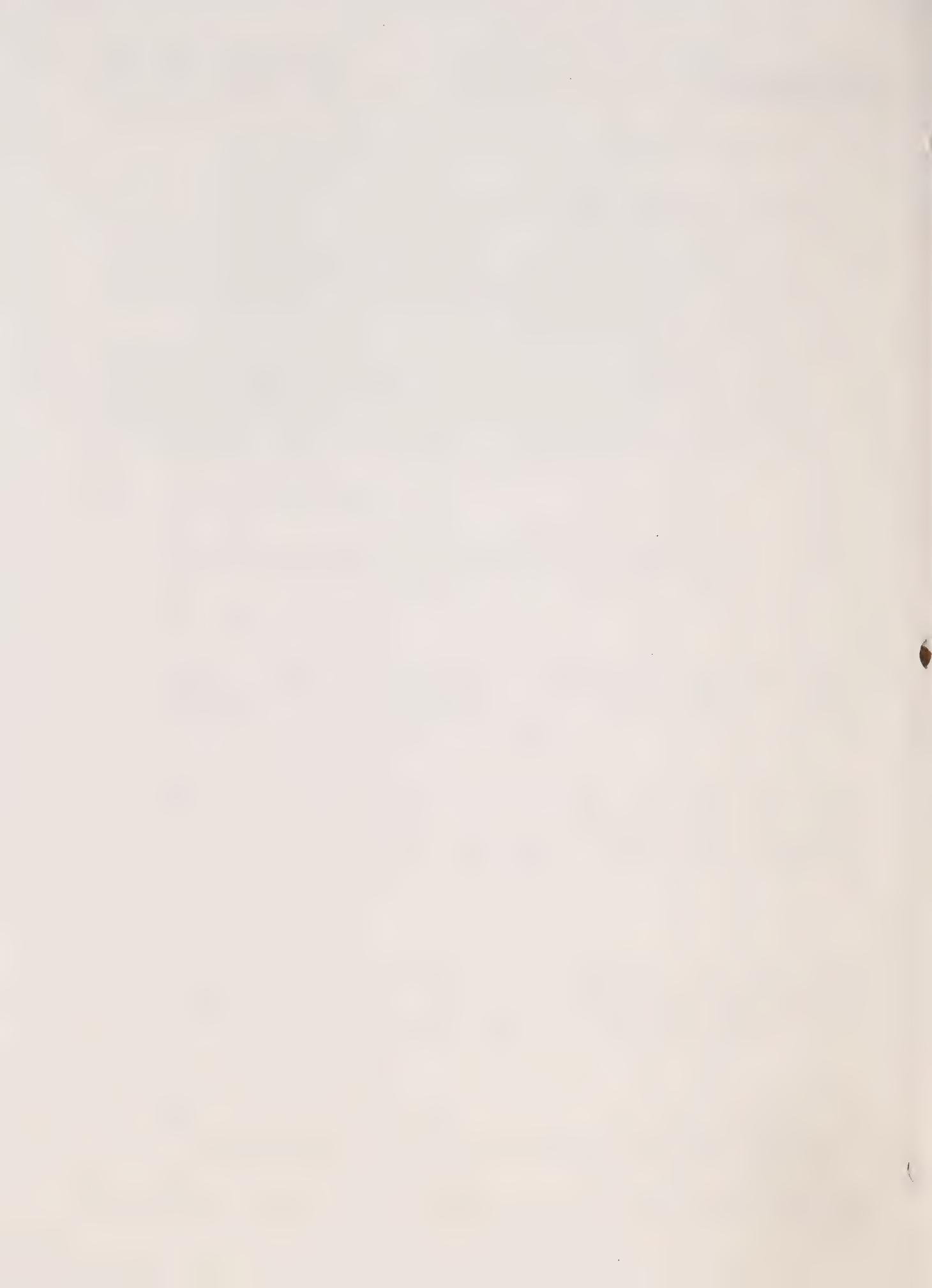
Winter maintenance facilities could be called sub-patrol yards. They include a salt and sand storage area and may include a garage, fuel pumps and storage buildings.

Normal site requirements would be less than 2 hectares.

Major Rest Areas and Service Centres

These facilities are designed to suit the particular site and location requirements. Major rest areas are located on site, large enough to accommodate services such as parking, for both cars and trucks, picnic and play areas, washrooms and possible tourist information or interpretive facilities.

Service centres include access ramps, parking, service station, restaurant and picnic areas and other facilities to provide for the comfort and convenience of the travelling public. They are located only on controlled access highways. Site size varies depending on site requirements, property availability and topographical constraints.



APPENDIX E

Consultation Process



APPENDIX E - CONSULTATION PROCESS

1.0 CONSULTATION PROCESS

Opportunities for public consultation and external involvement are available throughout the Class EA process. Although this section addresses the consultation process up until project "environmental clearance" occurs (see Section 3.4), external and public contacts continue, as required, through the project implementation process.

The Class EA process requires mandatory notification (see Section 1.1 of this appendix) with the public and external agencies at two key points during the course of a project. This, however, represents the minimum contact which occurs. In reality, MTO has developed a dynamic and responsive consultation process which reflects the complexity of a specific project and the nature of the specific environmental issues and the concerns expressed by the public and external agencies. Therefore, this appendix addresses the mandatory notification required by the Class EA followed by a general discussion of external agency consultation and public consultation. It should be noted that, in addition to the mandatory notification required by the Class EA, other types of mandatory notification may be required prior to or during project implementation, for example, notification required for a road closing.

1.1 MANDATORY NOTIFICATION

The two key points where mandatory notification is required are: 1) early in the project and 2) when the ESR is available for review or upon deciding to proceed with reduced documentation. The mandatory notification described as follows represents the minimum which occurs on any project subject to the Class EA. Where appropriate, additional notification should be provided.

Mandatory contacts with appropriate external agencies, municipalities and the public normally take place concurrently. Public notices are placed in local, regional or provincial newspapers, depending on the study area. If necessary, contact the municipal clerk to identify the most appropriate local papers. While public notification is usually a newspaper ad, where appropriate a letter (for example to adjacent property owners, interest groups) may be appropriate in place of, or in addition to, this. The same information is relayed directly to external agencies and municipalities via individual letters.

Initial Mandatory Notification

Initial notification occurs as early as possible in a project. Generally, however, it occurs after some preliminary work has been done. While the Class EA specifically refers to an initial notice, where appropriate a letter can be used. For the public, initial notification is **usually** a newspaper ad. In some cases, however, a letter / notice to adjacent property owners may be appropriate: 1) in place of the newspaper ad (for example, where there are localized effects only, few people affected or little public interest); or 2) in addition to the newspaper ad (for example, where there are a number of adjacent properties as well as general community interest; letters to specific interest groups). The need for / type of additional notification is addressed by the project manager and environmental planner.

For external agencies and municipalities, initial notification is an individual letter. Typical external contacts are identified in Appendix F.

Notice requirements and sample initial notices and contact letters are included in Appendix G.

Final Mandatory Notification

Upon completion of the Environmental Study Report (ESR) and submission of it or a Reduced Documentation Letter (RDL) to the Ministry of the Environment and Energy (MOEE), a final public notice is published and letters to those external agencies who were involved during the study are issued. Final notification is mandatory. The foregoing, however, represents the minimum which is required. For the public, final notice or notice of study completion is **usually** a newspaper ad. In some cases, however, a letter / notice to adjacent / affected property owners may be appropriate: 1) in place of the newspaper ad (for example, where there are localized effects only, few people affected or little public interest); or 2) in addition to the newspaper ad (for example, where there are a number of adjacent properties as well as general community interest; in reply to specific requests). The need for / type of additional notification is addressed by the project manager and environmental planner.

For external agencies and municipalities who were involved during the study, letters are issued.

Notice requirements and sample final notices and contact letters are included in Appendix G.

1.1.1 Ministry of the Environment and Energy Notification

The Ministry of the Environment and Energy is formally notified at two points in the project in the following manner:

- 1) *A letter is sent to the Environmental Assessment Branch, and the appropriate regional office of the Ministry of the Environment and Energy to advise of project initiation. This letter has the same contents as that described in Section 1.1 of this appendix under "Initial Mandatory Notification";*
- 2) *The Environmental Study Report or Reduced Documentation Letter including findings of the screening procedure, is always submitted to the appropriate regional office of the Ministry of the Environment and Energy upon completion. A copy of these documents should be sent to the appropriate MOEE district office(s) where deemed to be of value or necessary. They are also sent to the Environmental Assessment Branch in the following circumstances:*
 - *cases where a "bump-up" request has been made or is expected to be made;*
 - *unusual or controversial projects which may require special attention, and*
 - *where a direct request has been made by the Ministry of the Environment and Energy;*

In addition an annual update of the status of all projects planned in accordance with the Class EA will be submitted to the Environmental Assessment Branch

Additional contacts take place as required.

1.2 EXTERNAL AGENCY CONSULTATION

External agencies including federal agencies, provincial ministries and agencies, conservation authorities and municipalities are contacted when it is expected that they could have an interest based on their mandate. External agencies normally are contacted individually by letter and follow-up telephone contact. Site visits and / or review meetings are conducted where required. Every effort should be made by all parties involved to identify issues as early as possible in the process.

In addition to the mandatory notification described in Section 1.1 of this appendix, the frequency and type of consultation depend on the degree to which a project impacts on an agency's mandate and the agency's response to the initial notification. MTO, however, regularly goes beyond the minimum mandatory contact points by making additional contacts with external agencies. The type and frequency of these contacts vary depending on the complexity of the project, the environmental issues involved and the nature of the expressed concerns. Additional notices, informal discussions, site visits or more formal meetings take place as required throughout the

study. For example, for a complex project with significant external concerns, an "external team" may be set up to ensure the highest level of information exchange and the best opportunity to resolve external concerns.

Typical contacts are listed in Appendix F. Initial contact letters are included in Appendix G.

1.3 MUNICIPAL CONSULTATION

Municipal staff, elected representatives, and local roads boards are contacted where a project is located within their municipal boundaries and/or it is anticipated that they may have an interest in the study. Contacts may occur by letter, telephone, meetings and frequently by formal presentations to council. Usually a Council resolution or endorsement is requested.

1.4 CONTACT LIST

In addition to those agencies that wish to be contacted on all projects, a list of appropriate external contacts is developed for each project including federal agencies, provincial ministries and agencies, and conservation authorities with a potential interest in the project due to their mandate. This list is used for distribution of the initial and final mandatory notices. However, only those agencies that have expressed an interest are further consulted during the project planning and design.

Typical contacts are included in Appendix F.

1.5 PUBLIC CONSULTATION

Public consultation has been a key component of MTO projects for many years. The purpose of public consultation is:

- *to provide information to the public about the project and to provide the opportunity for comment;*
- *to determine if there is additional information related to the project (e.g. local expert knowledge);*
- *to determine if affected property owners have concerns that need to be addressed;*
- *to determine the community views, in general, on the project; and*
- *to ensure that the project reflects the interests of the local community as much as possible, as well as reflecting the provincial interest.*

The definition of public includes interest groups as well as individual members of the public. Interest groups may include local, provincial and/or federal groups and native groups while members of the public include the general public as well as affected property owners.

MTO has a dynamic and responsive public consultation process. Beyond the two mandatory contacts, the type, timing and frequency of any additional public consultation varies with the complexity of the project. At the outset of a project a preliminary review of the public consultation requirements is carried out based on the general needs of the project.

Over the years, MTO has tried various techniques such as public information centres, workshops, steering committees, and public meetings. The most useful and beneficial of these techniques remains the public information centre which is discussed in Section 1.5.1 of this appendix and Appendix H. In addition there are numerous types of supplementary contact which may be utilized. These are discussed in Section 1.5.2 of this appendix.

In terms of timing, contacts can be:

- *proactive - i.e. initiated by MTO as part of the initial data collection or as appropriate to the study area*
- *at anytime during the project for information exchange*
- *for follow-up - i.e. in response to data collection or a specific request.*

Frequency of contact usually increases as complexity and/or sensitivity of a project increase.

When documenting public comments, it is important not only to identify any public concerns but also how they were addressed by MTO.

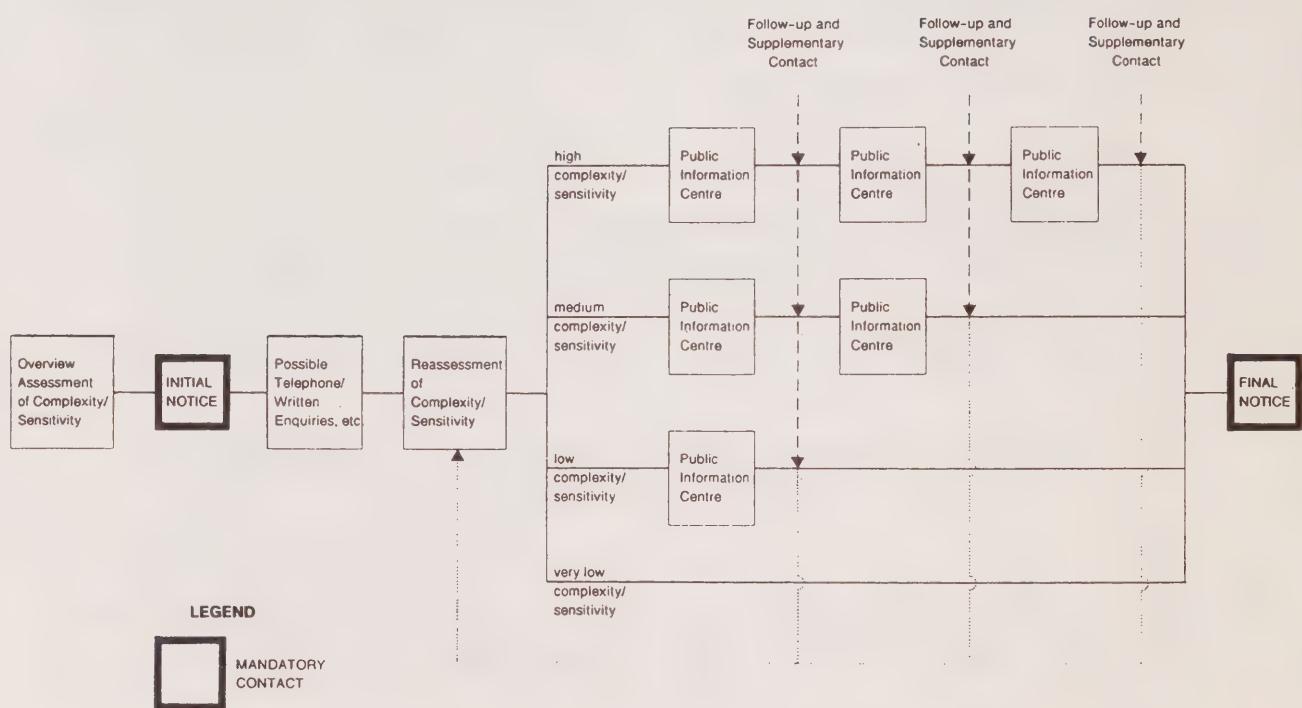
Exhibit E-1 shows the frequency of public information centres and supplementary contact in relation to the complexity or sensitivity of a project. The exhibit, however, is not meant to imply timing of public review. For example, if a public information centre is held for a project of low complexity / sensitivity, it would likely occur later in the detail design process.

1.5.1 Public Information Centres

MTO has used public information centres extensively and found them to be an excellent way to provide for the exchange of information. A public information centre provides information and displays in an informal setting and is held in a community hall or other similar facility in the general vicinity of the project. Visitors are encouraged to ask questions, share information about the study area, identify any support for and/or concerns with the project and discuss these with MTO staff. Public information centres provide the following opportunities:

- *provision of direct, one-on-one contact between individual members of the public and representatives of MTO;*

FREQUENCY OF INFORMATION CENTRES IN RELATION TO PROJECT COMPLEXITY AND/OR SENSITIVITY



- members of the public are able to address their individual needs for information about the MTO proposals;
- members of the public can ask for follow-up on matters of specific interest;
- individuals can learn about effects on their property

The details regarding preparation for, attendance at and follow-up to a public information centre are provided in Appendix H.

1.5.2 Supplementary Public Contact and Consultation

As previously noted, the process is dynamic, and is generally able to respond to the specific needs of a particular study or study area. Although public information centres are a valuable means of providing for public consultation, it may be necessary or more appropriate to use other means, either on their own or possibly as a follow-up to a public information centre, in order to discuss the project, or to resolve concerns.

For example, the following types of involvement are provided as appropriate:

- Meetings with individual landowners, groups of landowners or interest groups (for example, native groups, cottagers' associations, community associations, affected businesses) may be held from time to time. Adequate documentation of any meetings should be prepared and kept on file;
- Special information may be provided for publication in a community association newsletter;
- A special meeting with affected property owners may take place before property negotiations begin. These meetings provide an opportunity for frank discussion of specific concerns, and aid in the development of appropriate solutions;
- Formal presentations may be given to municipal councils.

Exhibit E-2 lists the types of supplementary contact with the public and the types of public that could be consulted. As well one can refer to the Ministry of the Environment and Energy's document entitled "Public Consultation - A Resource Kit for Ministry Staff".

1.5.3 First Nation Consultation

This is discussed in Appendix I.

RANGE OF SUPPLEMENTARY PUBLIC CONSULTATION

(Note: determination of use is project-specific)

1) TYPES OF NOTIFICATION

Notices

- place in appropriate newspaper
- place in community facilities
- radio/TV
- Cable TV
- press release

Letters

- by direct or registered mail, to property owners

Flyers/Brochures

- general distribution
- direct mail
- hand delivery
- place in community facilities

Posters

- place in community facilities

2) TYPES OF WRITTEN INFORMATION PROVIDED

- information package - handout at information centres
- media package
- information displays at community centres

3) TYPES OF PERSONAL CONTACT

- letters
- comment sheets provided at information centres or on request
- telephone calls (toll free number)
- fax
- written correspondence
- meetings - individual or group
 - informal or formal
- presentations
- questionnaires
- interviews
- site visits
- presentations to municipal councils

4) THOSE CONTACTED

- general public
- individuals
- community groups
- interest groups
- native groups

APPENDIX F

Contact Lists



APPENDIX F - CONTACT LISTS

As explained in Appendix E, Consultation Process, certain agencies wish to be contacted on all projects. Since there is no standard list, the environmental planner has to determine these at the time of carrying out the study. **Nevertheless, the appropriate regional office of the Ministry of the Environment and Energy should be contacted for each Group "B" project.** In addition, a list of appropriate external contacts is developed for each project for those agencies with a potential interest in the project due to their mandate and / or landholding relative to the project. The list is used for the distribution of the initial and final mandatory notices (see Appendix E). However, only those agencies that express an interest are further consulted during the project planning and design.

In preparing the contact list, the proposed undertaking is scoped by the environmental planner in order to determine the possible environmental effects and the degree of impact on an external agency's mandate and thereby determine the appropriate contacts, namely, the stakeholder agencies and groups. Where there is a question as to an agency's possible interest in a project, it is usually better to err on the side of contacting the agency rather than risk not contacting an agency / group that may have a concern / interest in the project.

The following list illustrates typical contacts. The list, however, is neither all-inclusive nor is it intended that those identified need to be contacted on every project. Typical contacts may include representatives from:

Federal Departments and Agencies

- Department of Fisheries and Oceans;
- Transport Canada;
- Environment Canada;
 - Canadian Parks Service
 - Canadian Wildlife Service
 - Environmental Protection Service
- Canadian Coast Guard.

Provincial Ministries and Agencies

- Ministry of Agriculture and Food;
- Ministry of Culture, Tourism and Recreation;
- Ministry of the Environment and Energy;
- Ministry of Health;
- Ministry of Housing;
- Ministry of Economic Development and Trade;
- Ministry of Municipal Affairs (includes Office for the Greater Toronto Area);

- Minister Responsible for Native Affairs;
- Ministry of Natural Resources;
- Ministry of Northern Development and Mines;
- Management Board (includes Ontario Realty Corporation).

(A list of selected Ontario Government contacts is attached. This list was designed to assist MTO Regional staff in determining the appropriate provincial ministries and agencies to contact on a project. Again, this list is not all-encompassing but rather identifies those agencies that MTO most frequently contacts for its projects.)

Conservation Authorities

Regional and Local Municipalities

- listed in municipal directory

Other Agencies, for example,

- GO Transit;
- transit authorities (for example, Gray Coach, Greyhound, Ontario Northland, municipal);
- C.N. Rail;
- C.P. Rail;
- other railways;
- Niagara Escarpment Commission;
- Niagara Parks Commission;
- Ontario Hydro;
- Ontario Waste Management Corporation;
- St. Lawrence Seaway Authority;
- affected utilities (for example, gas, telephone, hydro, cable TV, etc.);
- local Medical Officer of Health;
- public health agencies;
- ambulance services;
- Ontario Provincial Police;
- local police departments;
- Office of the Local Fire Marshall and / or local fire departments (instead of the Ministry of the Solicitor General - Office of the Fire Marshall);
- local colleges, universities or other institutes of learning (instead of the Ministry of Colleges and Universities);
- school boards.

A LIST OF SELECTED ONTARIO GOVERNMENT CONTACTS

93 01 13

MINISTRY	DESCRIPTION	ENVIRONMENTAL FACTOR AREA
Agriculture and Food	The goal of the Ministry of Agriculture and Food is to encourage the efficient and dynamic development of the total agriculture and food sector for the well-being of all people of Ontario.	Agricultural Lands Agricultural Operations
Culture, Tourism and Recreation	The Ministry of Culture, Tourism and Recreation promotes cultural expression and development, encourages heritage preservation, and delivers policies and programs to support the tourism and recreation development and promotion. The Ministry is responsible for promoting tourism to the residents of Ontario and other jurisdictions. It supports the efforts of tourist operators, attractions, and government-sponsored attractions.	Heritage, Historical Structures, Archaeological Resources Cultural Landscapers Tourism and Recreation Opportunities Tourism and Recreation Business Impacts
Economic Development and Trade (Includes Communication and Industry, Trade and Technology)	The Ministry of Economic Development and Trade supports the growth of productive, stable employment by expanding domestic and international trade, encouraging investment opportunities, strengthening the competitiveness of Ontario's industrial base, and assisting small business development. The Ministry also advocates Ontario's interests in the communication field.	Economic Growth and Development, Business Impacts
Environment and Energy	The Ministry Environment and Energy responsible for achieving and maintaining a quality of the environment, including air, water and land, that will protect human health and the ecosystem and will contribute to the well-being of the people of Ontario. The Ministry is also responsible for reviewing energy matters on a continuing basis, and coordinating the energy related activities of the government.	Spills, Air, Water, Land, Noise, Waste Energy Efficiency
Ontario Native Affairs Secretariat	This Secretariat also concerned with Ontario Native issues.	Native Issues
Health	The Ministry of Health is responsible for the funding and/or provision of Health Services and Benefits to the people of Ontario.	Human Health, Safety
Housing	The Ministry of Housing is responsible for strategies to help meet the need for affordable housing and encourages the conservation of existing accommodation.	Urban Intensification
Management Board (Includes Ontario Realty Corporation)	The Board provides a variety of services to ministries and agencies at Queen's Park and throughout the province in support of their daily activities.	Property Issues
Municipal Affairs (Includes Office for the Greater Toronto Area)	The Ministry is responsible for municipal government and community planning in the province. The Ministry is also responsible for coordinating the Government's policies, programs and projects designed to ensure that the Greater Toronto urban area remains environmentally and economically attractive as it manages significant growth.	Land Use Land Use Co-ordination
Natural Resources	The purpose of the Ministry is to provide opportunities for resource development and outdoor recreation for the continuous economic and social benefit of the people of Ontario and to administer, protect and conserve public lands and waters. The Ministry's programs are concerned with the use of the physical resources of land, water, trees, fish, animals and certain minerals for resource utilization and recreation.	Wildlife, Fisheries, Vegetation, Wetlands, Aggregates, A.N.S.I.s, Provincial Lands, Provincial Resources
Northern Development and Mines	The Ministry's primary mandate is two-fold; first to stimulate the economic and social development of Northern Ontario and to coordinate the policies and programs of other provincial ministries to ensure that the social needs of northerners are addressed by the government, and second, to encourage and regulate the orderly development and utilization of the province's mineral resources.	Northern Economic Development Mines

Interest groups are contacted as an integral part of public consultation. A list which provides examples of contacts is included for information purposes and for the consideration of the project manager and environmental planner. Again, the regions may wish to insert regional-specific information.

- Agricultural Societies
- Ontario Federation of Agriculture
- Historical Societies and Heritage Associations
- Local Architectural Conservation Advisory Committees (L.A.C.A.C.)
- Tourist Operators / Outfitters / Associations
- Ontario Federation of Snowmobile Clubs
- Local Snowmobile Clubs
- Federation of Ontario Naturalists
- Local Naturalist Clubs
- Local and Provincial Environmental Groups
- Cross Country Ski Clubs / Trails
- Ontario Hiking Trail Association (F.O.H.T.A.)
- Native Organizations and Band Councils
- Ratepayers and / or Residents Associations
- Federation of Ontario Cottagers Association
- Local Cottage and Ratepayers Associations
- Ontario Trucking Associations
- Ontario Ski Council
- Canoe Ontario
- Ontario Federation of Anglers and Hunters
- Ontario Good Roads Association
- Chambers of Commerce
- Business Associations
- Museums

Possible directories to review:

- Environmental Network Directory
- Canadian Conservation Directory (the current version is out-of-date)

Where appropriate, the regions may wish to insert information here regarding regional-specific contacts (for example, MNR district offices) and their areas of responsibility (for example, map of MNR district boundaries).

APPENDIX G

Sample Notices / Letters

APPENDIX G - SAMPLE NOTICES / LETTERS

The following sample notices and letters are provided in this appendix. A disk of the sample notices and letters is available from the Environmental Office. Explanatory notes are shown in *italic type*.

Initial Mandatory Notification

- a) Initial Public Notice
- b) Initial Contact Letter (for external agencies)

Study Completion - Reduced Documentation

- c) Final Public Notice
- d) Final Contact Letter (for external agencies)
- e) Letter to the Ministry of the Environment and Energy (MOEE)

Study Completion - Environmental Study Report (ESR)

- f) Final Public Notice
- g) Final Contact Letter (for external agencies and others to whom the ESR is sent)
- h) Final Contact Letter (for external agencies and others being advised of the availability of the ESR)
- i) Letter to MOEE
- j) Internal MTO Distribution Memos

Other

- k) EA Reclassification Memo (changing a Group "C" project to a Group "B" project)
- l) "Environmental Clearance" Memo

It should be noted that the parent Class EA identifies that initial and final mandatory notification will include (in addition to other information):

- Freedom of Information and Protection of Privacy Act (FOIPPA) requirements
- French Language Services Act (FLSA) requirements (where applicable)
- right to request a "bump-up" (in this appendix referred to as "EA")

An interpretation of the foregoing to reflect whether the initial or final notification is for the public, external agencies or MOEE, is provided in a tabular format in Exhibit G-1.

In essence, the FOIPPA wording, FLSA wording (where required) and EA wording are required for any public (individuals, interest groups, property owners, etc.) notification (i.e. newspaper ad, letter, brochure, etc.) but are not required for letters to external agencies or MOEE. **The information on the table has been reviewed with MOEE and they support this interpretation.**

The suggested wording referred to in Exhibit G-1 is as follows:

- (1) FOIPPA wording - The following is recommended for use as a minimum - see Section 2.0 of Appendix I for explanation and French translation:

"With the exception of personal information, all comments will become part of the public record."

- (2) FLSA wording (where required) - see Section 3.0 of Appendix I for explanation:

"Des renseignements sur ce programme sont disponibles en français en composant (place appropriate telephone number here)."

- (3) EA wording -

"There is an opportunity at any time during the Provincial Highways Class Environmental Assessment process for interested persons to review outstanding issues and request an Individual Environmental Assessment."

EXHIBIT G-1**APPLICATION OF "SUGGESTED WORDING" FOR FOIPPA/FLSA/EA****Note - This table has been reviewed with MOEE**

Notice / Letter	FOIPPA Wording ⁽¹⁾	FLSA Wording ⁽²⁾	EA Wording ⁽³⁾
INITIAL MANDATORY NOTIFICATION			
a) Initial Public Notice	✓	✓	✓
b) Initial Contact Letter (external agencies and MOEE)			
STUDY COMPLETION (MANDATORY NOTIFICATION)			
1) Reduced Documentation Letter (RDL)			
c) Final Public Notice	✓	✓	✓
d) Final Contact Letter (external agencies)			
e) Letter to MOEE			
2) Environmental Study Report (ESR)			
f) Final Public Notice	✓	✓	✓
g) Final Contact Letter - including ESR			
h) Final Contact Letter - advising of availability of ESR			
i) Letter to MOEE			

✓ Include wording

INITIAL MANDATORY NOTIFICATION

The initial public notice and initial contact letter to external agencies (see Section 1.1, Appendix E) are issued as early as possible in the study process, generally after some preliminary work has been done. It should be noted that the initial notification, particularly the initial contact letter to external agencies, is very important since it can affect how the study is carried out. Due to the range in level of complexity of Group "B" projects, initial notification may occur early in the planning, preliminary design or detail design stages. It is important that the notice:

- clearly identify the study location and / or project limits; a key map is invaluable in this regard;
- succinctly state the problem / identify the objectives or the deficiencies being addressed;
- describe what is being proposed; the further one is in the process, the more likely the proposals can be described in more detail;
- note the overall process and explain where the study is in the process;

The more complex the study, the greater the need, and ability, to provide additional information regarding the foregoing.

The parent Class EA identifies the following as being included in the initial notice and letter, therefore this content is mandatory:

- description of the project
- study area and / or project limits
- status of the project under the EA Act
- right to request that the project be "bumped-up" to an individual environmental assessment (Group "A")
- MTO contact person
- right to privacy / freedom of information
- French Language Services Act requirements (where applicable)

In addition, the following information may be included, where appropriate:

- possibility of reduced documentation
- information regarding public information centre(s)
- information about an Environmental Assessment Proposal (EAP)

Based on the foregoing, a generic public notice and letter to external agencies have been prepared. Each is accompanied by explanatory notes.

a) Initial Public Notice

For the initial public notice, the following are provided:

- initial public notice - generic format
- initial public notice - with explanatory notes provided in *italic type*
- initial public notice including notice of a public information centre
- initial public notice including notice of Environmental Assessment Proposal

While for the public, initial notification is **usually** a newspaper ad, where appropriate, a letter / notice may be sent to adjacent property owners: 1) instead of the newspaper ad (for example where there are localized effects only, few people affected or little public interest), or 2) in addition to the newspaper ad (for example, where there are a number of adjacent properties as well as general community interest). As well, letters to interest groups may be appropriate.

The letter must contain the same information as the public notice and can either attach the public notice or paraphrase its contents.

INITIAL PUBLIC NOTICE

[TITLE OF STUDY]

THE STUDY

The Ministry of Transportation has initiated a *[preliminary design / detail design]* study to examine improvements to

Key Map

Various alternatives are being considered to address / improve

[and / or]

Subject to the final outcome of the study, the Ministry is proposing to

THE PROCESS

This study will follow an approved planning process with the opportunity for public input throughout. Upon completion of the study, a report will be available for public review and comment. Another notice will be published at that time.

*[PIC?] /
[Reduced documentation?]*

COMMENTS

We are interested in hearing any comments or concerns that you may have with the study *[project]*. Please contact:

MTO Project Manager
address
telephone (local / toll free)
fax



Ministry of
Transportation

Ontario

Note: • *[FOIPPA]*
• *[EA]*
• *[FLS?]*

a) Initial Public Notice - *Explanatory Notes*

INITIAL PUBLIC NOTICE

[TITLE OF STUDY]

Layout is optional.

A formal title should be used. The preferred ones are "Initial Public Notice" or "Notice of Study Commencement".

Include title of study in large letters to bring to public's attention.

THE STUDY

The information provided under "The Study" may be combined, however, the following objectives should be met:

- *include a clear description of the study area and / or project limits,
including the W.P. for MTO reference*
- *include a clear problem statement*
- *possibly combine the objectives with the current proposals*
- *a key map is recommended*

The Ministry of Transportation has initiated a [preliminary design / detail design] study to examine improvements to

Key Map

Various alternatives are being considered to address / improve

[and / or]

Subject to the final outcome of the study, the Ministry is proposing to

THE PROCESS

This study will follow an approved planning process with the opportunity for public input throughout. Upon completion of the study, a report will be available for public review and comment. Another notice will be published at that time.

- 1) Where appropriate, note if PIC(s) will be held during the study and the general timeframe and / or include notification of an upcoming PIC:

Public Information Centre(s) will be held during the study and notices advising of their time and location will be published in local papers.

or

Public Information Centres will be held during the study. A [The first] PUBLIC INFORMATION CENTRE to [give brief description of information to be displayed] will be held on:

Date:

Time:

Location:

Ministry [and Consultant] staff will be present to discuss the study, answer questions and receive your comments.

- 2) Where an EAP has been prepared, use the initial public notice as a means for explaining this and noting the viewing locations, i.e.

In order to ensure early public involvement in the study, an Environmental Assessment Proposal (EAP) document is [will be] available for review. This document explains the proposed study process including public consultation. The public is encouraged to review it at the following location(s) and provide comments:

[identify location(s) / times /telephone numbers]

- 3) Where appropriate, add a caveat about reduced documentation. The usual approach is to add this caveat unless one is very certain that the reduced documentation option will not be applicable.

Note: *This project is being considered for reduced documentation. This means that if the environmental process indicates that this project will not result in any significant detrimental environmental effects, then it is not necessary to prepare a final report. Public notice of this decision will be provided.*

COMMENTS

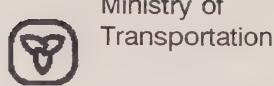
We are interested in hearing any comments or concerns that you may have with the study [project]. Please contact:

MTO Project Manager
address
telephone (local / toll free)
fax

*Optional - Environmental Planner
- Consultant Project Manager*

Note: • FIOPPA wording [This is mandatory]
• EA wording [This is mandatory]
• Where a project is in a designated French area (see discussion in Appendix I, Section 3.0), the following note (or similar words) must be inserted, usually at the end of the notice:

"Des renseignements sur ce programme sont disponibles en français en composant [appropriate telephone number]



Ontario

NOTICE OF PUBLIC INFORMATION CENTRE

[TITLE OF STUDY]

THE STUDY

The Ministry of Transportation has initiated a [*preliminary design / detail design*] study to examine improvements to

Key Map

Various alternatives are being considered to address / improve

[*and / or*]

Subject to the final outcome of the study, the Ministry is proposing to

THE PROCESS

This study will follow an approved planning process with the opportunity for public input throughout. Upon completion of the study, a report will be available for public review and comment. Another notice will be published at that time.

[*Reduced documentation?*]

Public Information Centres will be held during the study. A [*the first*] Public Information Centre to [*give brief description of information to be displayed*] will be held on:

Date:
Time:
Location:

Ministry [*and Consultant*] staff will be present to discuss the study, answer questions and receive your comments.

COMMENTS

We are interested in hearing any comments or concerns that you may have with the study [*project*]. Please contact:

MTO Project Manager
address
telephone (local / toll free)
fax

Note: • [*FOIPPA*]
• [*EA*]
• [*FLS?*]



Ministry of
Transportation

Ontario

INITIAL PUBLIC NOTICE

[TITLE OF STUDY]

THE STUDY

The Ministry of Transportation has initiated a *[preliminary design / detail design]* study to examine improvements to

Key Map

Various alternatives are being considered to address / improve

[and / or]

Subject to the final outcome of the study, the Ministry is proposing to

THE PROCESS

This study will follow an approved planning process with the opportunity for public input throughout. Upon completion of the study, a report will be available for public review and comment. Another notice will be published at that time.

In order to ensure early public involvement in the study, an Environmental Assessment Proposal (EAP) document is available for review. This document explains the proposed study process including public consultation. *[possibly note if PICs will be held]* The public is encouraged to review it at the following location(s) and provide comments.

[identify location(s) / times / telephone numbers]

COMMENTS

We are interested in hearing any comments or concerns that you may have with the study *[project]*. Please contact:

MTO Project Manager
address
telephone (local / toll free)
fax

Note: • *[FOIPPA]*
• *[EA]*
• *[FLS?]*



Ministry of
Transportation

Ontario

b) Initial Contact Letter (external agencies)

The introductory comments under "Initial Mandatory Notification" also apply to the initial contact letter to external agencies. The purposes of the initial contact letter are to advise the agency of the study / project, to obtain information and / or identify issues relating to the external agency's mandate and program, and to determine whether or not the agency wants to be further involved in the study.

There are two basic approaches for obtaining information from external agencies:

- ask general questions only
- ask agency - and / or project - specific questions

The type of questions will likely reflect:

- the complexity of the project. For example, the more complex the project, the more environmental issues that may potentially exist for which information is required.
- at what stage in the process the letter is sent. For example, questions posed early in the planning process may be general in nature while questions posed during preliminary design or detail design may be more specific. As well, on complex projects there will likely be more than one contact with external agencies while on a project of low complexity which starts in detail design, the initial contact letter may be sufficient.
- the amount of information already known by MTO. For example, it may be desirable to indicate the type of information already collected by MTO in order to facilitate the external agency's response.
- the way in which the agency has responded on other projects. For example, if it becomes apparent that an agency does not respond adequately to general questions, then detailed questions may be more appropriate, or vice versa.

A generic letter has been prepared. Where specific questions are to be included, they can be prepared based on one's knowledge of the project, the external agency's mandate / program (see Appendix F, Contact Lists and Appendix K, Project-Specific Environmental Permits and Approvals), a review of questions for other similar projects and discussions with others.

Where appropriate, the notice of the public information centre can be appended to the letter.

It should be noted that a letter is always sent to MOEE - EA Branch and the appropriate regional office(s) of MOEE to advise of project initiation.

b) Initial Contact Letter - Format

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
External Agency

Dear [Name]:

RE: Project / Study-location, limits, length
Municipality
W.P. _____

The Ministry of Transportation has initiated a *[preliminary design / detail design]* study to
[of]

[add a key map, where possible]

The purpose of this letter is to introduce the study *[project]*, to request your participation and to obtain available background information.

Various alternatives are being considered to.....

[include thorough statement of problem / opportunities]

[and / or]

Subject to the final outcome of the study, the Ministry is currently proposing to

[include thorough statement of undertaking]

The study will follow the planning process for a Group "B" project as contained in the Provincial Highways Class Environmental Assessment, 1992 (Class EA) which is approved under the Environmental Assessment Act.

[briefly explain nature of external and public involvement]

[where appropriate add EAP information]

[where appropriate add caveat regarding reduced documentation]

b) Initial Contact Letter (Continued)**DRAFT**

In order to aid in our planning process, please provide us with any comments or concerns which you may have regarding *[the study / project as described above]*

[or]

the following:

[add agency-specific questions]

If you wish to be involved in this study or receive additional information please notify the undersigned. Any further notification by the Ministry is mandatory only to those who have requested further involvement.

We respectfully request a response by *[date]*. If no response is received by then, we will proceed on the assumption that you have no concerns. If additional information is required please contact the undersigned at *[telephone number]*. As well we would be pleased to meet with you to discuss the study.

Yours very truly,

Project Manager
Local and / or toll free telephone number
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

STUDY COMPLETION - REDUCED DOCUMENTATION

Notification of study completion for the reduced documentation option (RDL) is mandatory. Reduced documentation is discussed in Appendix M. Sample notices / letters have been prepared for:

- Notice of Study Completion

While for the public, notice of study completion is **usually** a newspaper ad, where appropriate a letter / notice may be sent to adjacent property owners: 1) instead of the newspaper ad (for example where there is little public interest), or 2) in addition to the newspaper ad. The letter must contain the same information as the public notice and can either attach the public notice or paraphrase its contents.

- Final Contact Letter
- Letter to MOEE (The letter is sent to the appropriate MOEE regional office. Where appropriate a copy is also sent to the appropriate MOEE district office(s). In certain cases the letter is also sent to MOEE - EA Branch, see Section 1.1.1 of Appendix E.)

The parent Class EA identifies the following as being included in the final notice and letter, therefore this content is mandatory:

- description of the project;
- the decision to proceed with the reduced documentation process;
- a request for comments and concerns to be sent to the project manager;
- a statement that the public and external agencies should attempt to resolve any concerns with MTO. Where the concerns cannot be resolved, the public and external agencies can request that the project be "bumped-up" to an individual environmental assessment;
- a statement that any responses must be received within 45 days of the public notice advertisement;
- right to privacy / freedom of information;
- French Language Services Act requirements (where applicable).

NOTICE OF STUDY COMPLETION**[TITLE OF STUDY]****THE STUDY**

The Ministry of Transportation has completed a study which will

Key Map**THE PROCESS**

This study followed an approved planning process. Following contacts with external agencies and the public and review within the Ministry, it has been determined that this project will not result in any significant detrimental environmental effects.

A letter outlining this and the reasons has been filed with the Ministry of the Environment and Energy. If after *[minimum of 45 calendar days from date of publication of notice]* significant concerns have not been identified, further documentation will not be prepared and construction may start without further notice.

COMMENTS

We are interested in hearing any comments or concerns you may have about this project. Please direct comments or questions by *[minimum of 45 calendar days from date of publication of notice]* to:

MTO Project Manager
address
telephone (local / toll free)
fax

Note: • [FOIPPA]
• [EA]
• [FLS?]



Ministry of
Transportation

Ontario

d) Final Contact Letter - Reduced Documentation

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
External Agency

Dear [Name]:

RE: Project / Study-location, limits, length
Municipality
W.P. _____

[Further to our letter of _____ and your response of _____], the Ministry of Transportation has completed [the preliminary design] [detail design] phase of a study of [to?]:

[identify major work of the project]

The Ministry is proposing to

[give descriptive details]

This study has followed our Provincial Highways Class Environmental Assessment process (1992) approved for projects of this type. Following public and external agency consultation and internal analysis and screening, it has been determined that this project will not result in any significant detrimental environmental effects [if the agency had expressed a concern, note this and how it has been addressed]. A letter outlining the findings of the screening procedure has been filed with the Ministry of the Environment and Energy. Further documentation will not be prepared for this project and it may proceed [through detail design] to construction without additional notice.

Letters are being sent to other agencies to advise them of the foregoing. In addition, a notice(s) will be published in area newspapers to advise the public. The review period for this project terminates on [minimum of 45 calendar days from date of publication of notice].

[if possible, attach a copy of the newspaper notice]

d) Final Contact Letter - Reduced Documentation (Continued)**DRAFT**

If you have further comments or concerns about this project, or if you wish to review the letter to the Ministry of the Environment and Energy, you are encouraged to contact the undersigned by *[minimum of 45 calendar days from date of publication of notice]*.

Project Manager
Local and / or toll-free
telephone number
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

[attach any previous correspondence to / from the external agency]

e) Letter to MOEE - Reduced Documentation

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
MOEE - Regional Office

Dear [Name]:

RE: Project / Study-location, limits, length
Municipality
W.P. _____

The Ministry of Transportation has completed *[the preliminary design] [detail design]* phase of a study of *[to?]*

[identify major work of the project]

The Ministry is proposing to

[give descriptive details]

This study has followed our Provincial Highways Class Environmental Assessment (1992) process approved for projects of this type. Following public and external agency consultation and internal analysis and screening, it has been determined that this project will not result in any significant detrimental environmental effects. We have attached a summary of the project review. Therefore, this project is eligible for reduced documentation. Further documentation will not be prepared for this project and it may proceed *[through detail design]* to construction without additional notice.

Letters are being sent to other agencies to advise them of the foregoing. In addition, a notice(s) will be published in area newspapers to advise the public. The review period for this project terminates on *[minimum of 45 calendar days from date of publication of notice]*.

[if possible, attach a copy of the newspaper notice]

e) Letter to MOEE - Reduced Documentation (Continued)**DRAFT**

If you have further comments or concerns about this project, you are encouraged to contact the undersigned by *[minimum of 45 calendar days from date of publication of notice]*.

Project Manager
Local and / or toll-free
telephone number
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

cc: Manager, Environmental Office
[cc: MOEE District Office, where appropriate]

[optional: attach screening criteria (see Appendix N)]

STUDY COMPLETION - ENVIRONMENTAL STUDY REPORT

Notification of study completion upon submission of the Environmental Study Report (ESR) is mandatory. The ESR is discussed in Appendix M. Sample notices / letters have been prepared for:

- Notice of Study Completion

While for the public, notice of study completion is **usually** a newspaper ad, where appropriate a letter / notice may be sent to adjacent property owners: 1) instead of the newspaper ad (for example where there is little public interest), or 2) in addition to the newspaper ad. The letter must contain the same information as the public notice and can either attach the public notice or paraphrase its contents.

- Final Contact Letter - for external agencies and others to whom the ESR is sent
- Final Contact Letter - for external agencies and others being advised of the availability of the ESR
- Letter to MOEE (The ESR is sent to the appropriate MOEE regional office. Where appropriate, a copy of the ESR is also sent to the appropriate MOEE district office(s). In certain cases the ESR is also sent to MOEE - EA Branch, see Section 1.1.1 of Appendix E.)
- Internal MTO distribution Memo

The parent Class EA identifies the following as being included in the final notice and letter, therefore this content is mandatory:

- description of the project;
- the location(s) where the ESR is available for public review;
- request for comments and concerns to be sent to the project manager;
- a statement that the public and external agencies should attempt to resolve any concerns with MTO. Where the concerns cannot be resolved, the public and external agencies can request that the project be "bumped-up" to an individual environmental assessment;
- a statement that any responses must be received within 45 days of the public notice advertisement;
- right to privacy / freedom of information;
- French Language Services Act requirements (where applicable).

NOTICE OF STUDY COMPLETION**[TITLE OF STUDY]****THE STUDY**

The Ministry of Transportation has completed a study which recommends the construction of

[describe in detail]

Key Map

THE PROCESS

This study followed an approved planning process. As required, an Environmental Study Report has been prepared and is available for review at:

[MOEE Regional Office - mandatory]

[MOEE District Office - optional]

[MTO Regional Office (P&D)]

[MTO District Office]

[Offices of the Clerk for relevant municipalities]

[local libraries?]

[other?]

The review period will terminate on: *[minimum of 45 calendar days from date of publication of notice]* after which time the Ministry may start construction.

COMMENTS

We are interested in hearing any comments or concerns you may have about this project. Please direct them by *[minimum of 45 calendar days from date of publication of notice]* to:

MTO Project Manager

address

telephone (local / toll free)

fax

Note: • *[FOI]*

• *[EA]*

• *[FLS?]*



Ministry of
Transportation

Ontario

g) Final Contact Letter - Environmental Study Report (ESR)
(includes ESR)

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
External Agency

Dear [Name]:

RE: Environmental Study Report
Project / Study - location, limits, length
Municipality
W.P. _____

Enclosed for your information and files is one copy of the Environmental Study Report (ESR) for the above-noted project. This study has followed our Provincial Highways Class Environmental Assessment (1992) approved for projects of this type. As required by this approval, the ESR has been filed with the Ministry of the Environment and Energy for information and monitoring purposes.

A copy of the "Notice of Study Completion" is attached. This notice will be *[was]* placed in area papers during the week of *[date]*. The public review period will therefore end on *[minimum of 45 calendar days from date of publication of notice]*. If you have any comments, concerns or questions please contact the undersigned before that date.

Project Manager
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

[attach public notice]

**h) Final Contact Letter - Environmental Study Report
(advising of the availability of the ESR)**

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
External Agency

Dear [Name]:

RE: Project / Study - location, limits, length
Municipality
W.P. _____

Please be advised that an Environmental Study Report (ESR) for the above-noted project has been prepared. This study has followed our Provincial Highways Class Environmental Assessment (1992) approved for projects of this type. As required by this approval, the ESR has been filed with the Ministry of the Environment and Energy for information and monitoring purposes.

A copy of the "Notice of Study Completion" is attached which identifies the locations where the ESR is available for viewing. This notice will be *[was]* placed in area papers during the week of *[date]*. The public review period will therefore end on *[minimum of 45 calendar days from date of publication of notice]*. If you have any comments, concerns or questions please contact the undersigned before that date.

Project Manager
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

[attach public notice]

i) Letter to MOEE - Environmental Study Report

DRAFT

Planning and Design Section
Regional Office

Date

Contact Person
MOEE - Regional Office

Dear [Name]:

RE: Environmental Study Report
Project / Study - location, limits, length
Municipality
W.P. _____

Please find enclosed one copy of the Environmental Study Report (ESR) for the above-noted project for your information and for public review purposes. This study has followed our Provincial Highways Class Environmental Assessment (1992) approved for projects of this type.

A copy of the "Notice of Study Completion" is attached. This notice will be *[was]* placed in area papers during the week of *[date]*. The public review period will therefore end on *[a minimum of 45 calendar days from date of publication of notice]*. Please make this *[a]* copy of the ESR available for the public to review until the review period expires.

If you have any comments, concerns or questions or need additional copies of the ESR, please contact the undersigned before *[date]*.

Project Manager
and / or
[Environmental Planner]
and / or
[Consultant Project Manager]

cc: Manager, Environmental Office
[cc - MOEE District Office, where appropriate]

[attach public notice]

- [Notes: 1) In some cases it may be appropriate to send more than one copy of the ESR - i.e. one copy for MOEE technical review and one for public review. This is addressed on a project-specific basis.
2) Some regions may provide a "survey sheet" in order to keep a record of the number and names of people who review the ESR.
3) The ESR may also be provided to other locations for public review. This letter could be modified accordingly.]*

OTHER**DRAFT****k) EA Reclassification Memo
(Changing a Group "C" project to a Group "B" project)**

Date

Memo to: Project Manager

From: Environmental unit
RegionRe: EA Reclassification
W.P. _____, Highway _____, District
Location, Limits, Length

The above work project is classified as a *[EA Classification]* in accordance with the Provincial Highways Class Environmental Assessment. An Environmental Study Report is necessary, or the project may be subject to reduced documentation.

Normally, a *[type of project]* is categorized as a Group "C" project *[or, This project was classified as a _____]*. In this case, however the *[give reasons for reclassification]* necessitate that the classification be elevated to a Group "B" project.

[identify any project specific considerations]

Regional Environmental
Unit Supervisor

cc: Scheduling Co-ordinator

I) "Environmental Clearance" Memo
(see Section 3.4)

DRAFT

Date

Memo To: MTO Internal Distribution List

From: Environmental Unit
Region

Re: Environmental Clearance
W.P. _____, Highway _____, District
Location, Limits, Length

This memorandum provides "environmental clearance" for the above-noted project on *[date]* thereby permitting the following activities to commence: tendering, utility relocation and construction *[add any others, as appropriate]*.

Background

An Environmental Study Report (ESR) *[or Reduced Documentation Letter (RDL)]* was submitted to the Ministry of the Environment and Energy on *[date]*. The minimum 45 day review period has passed and no comments or requests for a "bump-up" *[have been received]*. *[are outstanding]*.

Clearance Condition

This clearance assumes that the work is as described in the environmental documentation which has been prepared for the project *[identify available documentation]*.

Constraints

[note any significant environmental constraints]

Clearance Expiry

If construction on this project does not commence within three (3) years of the clearance date, or if there are significant changes to the design which may have environmental implications, then the clearance is no longer valid and a review of the project is required.

Regional Environmental
Unit Supervisor

cc: Project Environmental Planner
Manager, Environmental Office



APPENDIX H

Public Information Centres



APPENDIX H - PUBLIC INFORMATION CENTRES

1.0 INTRODUCTION

The MTO's public consultation process is discussed briefly in Appendix E of the Class EA Process Manual. The details associated with the preparation for, attendance at, and follow-up to a public information centre (PIC) are provided herein. The Ministry of the Environment and Energy handbook "Holding a Successful Open House" is another reference tool.

Standard Panels

Suggested wording for standard FOIPPA and FLSA panels is provided in Appendix I - Sections 2 and 3 respectively. Suggested wording for the environmental assessment process and MTO study process is attached to this appendix. Suggested wording for waste and aggregates is provided in Chapter 4 of the manual.

2.0 OVERVIEW OF STUDY REQUIREMENTS

At the outset of a study / project, the project manager and the environmental planner review the scope of the study to determine:

- the need for a PIC(s)
- the number and frequency
- general timing in relationship to the study stages
- potential locations
- potential special requirements

Considerations in the Determination of Need

- complexity of study
- level of controversy
- size of study area
- number of people with a potential interest in the study
- nature of previous public involvement, if any

Other Considerations

- potential locations
- special requirements - for example, designated French area
- appropriate occasion for review with external agencies / External Team

3.0 INITIAL PREPARATION - 3 TO 4 MONTHS PRIOR TO PIC

Task	Considerations
1. Determine date(s)	<ul style="list-style-type: none">• will sufficient public information be available• avoid - public holidays<ul style="list-style-type: none">- March school break- religious holidays- federal, provincial, municipal election• will a municipal review of information be required before PIC• special needs of attendees - e.g. if study area is located in cottage area, possibly hold a PIC on a Saturday
2. Determine time	<ul style="list-style-type: none">• afternoon and evening sessions• afternoon through to evening• special needs of attendees - if PIC is in an area where a lot of people work shifts, possibly vary times to accommodate shift work.
3. Determine general location	<ul style="list-style-type: none">• preferable to hold a PIC in (or adjacent to) the study area• the larger the study area and / or the greater number of attendees, the potential for more PIC(s) in different locations.• if attendees reside outside the study area, then location(s) outside the study area should be considered• may need one PIC per municipality / political riding / municipal ward, etc., in the study area
4. Determine potential site(s)	<ul style="list-style-type: none">• sample sites:<ul style="list-style-type: none">• church hall• school gym• community hall• Council building

Task	Considerations
4. Determine potential site(s) (cont'd)	<ul style="list-style-type: none">• in general, the objective is to ensure easy access for public access• Site should:<ul style="list-style-type: none">• have capacity for all displays and for maximum number of people which can reasonably be expected to attend;• be accessible for people driving, taking transit, walking, biking, etc.;• be accessible for people with disabilities (for example, ground floor versus upper floor, ramp access, stairs, parking, transit, etc.);• be a public place with which people are likely to be familiar, for example, community centre, library, high school, etc.;• have good lighting for displays;• be relatively free of furniture so that people can move around freely (however, a few tables and chairs are required)• contact the Municipal Clerk or local MTO District staff if assistance is required in determining location
5. Reserve site(s)	<ul style="list-style-type: none">• determine rental fees and method of payment• arrange catering, if required
6. Note other considerations	<ul style="list-style-type: none">• arrange for a French language translator and / or other translation services, if required
7. Prepare schedule	<ul style="list-style-type: none">• the preparation of a three-four month calendar is very useful for all of those involved in the study
8. Prepare list of property owners	

Task	Considerations
9. Identify and notify MTO staff (in addition to the Project Team / Consultant) attending the PIC, i.e. property, traffic, appropriate specialists, District	

4.0 DETAILED PREPARATION - 1 TO 2 MONTHS PRIOR TO PIC

Task	Considerations
1. Prepare notification	<ul style="list-style-type: none">• allow sufficient time for preparation of draft(s), review, approval and printing• see comments in Appendix A and sample notices / letters in Appendix B of the manual
Determine other notification	<ul style="list-style-type: none">• placement of posters in community facilities?• press release?
2. Confirm where notices are to be placed	<ul style="list-style-type: none">• local and / or major newspapers - reflects study location, study size and potential concerns• note that some local papers only publish biweekly• notices should be placed in newspapers and / or delivered at least one week prior to PIC• identify submission deadlines and requirements
3. Confirm brochure distribution	<ul style="list-style-type: none">• study area• adjacent to study area?• by whom?• when?• first class mail, hand-delivery, or "bulk" mail - whichever, determine specific requirements, timing, etc.

Task	Considerations
4. Identify and prepare display material; for example:	<ul style="list-style-type: none">• determine required displays and prepare list
<ul style="list-style-type: none">• plans / profiles showing existing conditions and proposed improvements• alternatives investigated, rejected, if applicable• detail treatments such as tree removal, property requirements, affected driveway, compensation plans, noise plans, etc.• cross-sections• study process chart• photo albums• other, for example, model	<ul style="list-style-type: none">• formalize previous work• prepare any new displays
5. Prepare for and attend regional presentation, where required	<ul style="list-style-type: none">• aerial mosaics, videos, models, etc.
6. Prepare for and attend municipal meeting(s) where required	<ul style="list-style-type: none">• distribute brochure if available
7. Other	<ul style="list-style-type: none">• identify any special requirements and follow-up, for example:<ul style="list-style-type: none">• language interpreters• sign language interpreters• other?

5.0 IMMEDIATELY PRIOR TO PIC - 3 TO 4 WEEKS PRIOR TO PIC

Task	Considerations
1. Arrange insertion of public notice	<ul style="list-style-type: none">• note lead time required
2. Distribute brochure	<ul style="list-style-type: none">• note printing time required
3. Notify the following where appropriate: <ul style="list-style-type: none">• external agencies▪ municipal and regional / County Clerks• MPPs, MPs• property owners• interest groups and individuals who have expressed an interest in the study• MTO - internal distribution list• District - District Engineer, those attending the PIC	
4. Ensure availability of items identified in Exhibit H-1 and determine whose responsibility	<ul style="list-style-type: none">• arrange for rental of van / truck if required to transport displays, etc.
5. Attend pre-PIC meeting	<ul style="list-style-type: none">• arrange dinner details, if required• optional, opportunity for Study Team to review and discuss the following:<ul style="list-style-type: none">• information and displays being shown;• areas of interest, associated studies, rationale, benefits / problems of project and potentially related questions;• potential concerns of public and others (check PIC comments from related studies);

Task	Considerations
5. Attend pre-PIC meeting (cont'd)	<ul style="list-style-type: none">• provide strategy for answering detailed questions (may make up a fact sheet), speaking to the press, politicians, etc. - determine who addresses specific questions and review standard answers;• where a project goes after PIC in terms of schedule, future work, additional PICs, etc;• staffing of displays;• arrival time at the PIC location - allow enough time (probably at least 1.5 to 2 hours) to set up and eat lunch, accounting for those residents who always arrive early;• confirmation of hall booking and key pick up if necessary;• timing of post PIC debriefing - normally one to two weeks after PIC
6. Other	<ul style="list-style-type: none">▪ confirm attendance of Property Section staff (and others as necessary) - provide times and locations

6.0 AT THE PIC

Task	Considerations
1. Take the items identified in Exhibit H-1 (where appropriate)	
2. Set-up the PIC	<ul style="list-style-type: none">• arrange the display panels, etc., in a manner that enables easy viewing by, and movement, of the attendees• a typical layout is shown in Exhibit H-2• spread out displays which are likely to attract the most people to allow sufficient room• place PIC signs in visible areas, leading from outside the building to the PIC location• place sign-in table near the main entrance• set-up tables for resource material• set-up tables / chairs for comment sheets, pens and the comment box• set-up coffee and refreshments on a table near an electrical outlet, place a garbage can next to it
3. Staff responsibilities at PIC	<ul style="list-style-type: none">• all staff should wear name tags• the sign-in desk should be attended by a member of the project staff at all times to welcome people, encourage people to sign-in and distribute any information packages or brochures• staff should be dispersed throughout the area• familiarize any language interpreters, if in attendance, with project displays and other project staff

Task	Considerations
3. Staff responsibilities at PIC (cont'd)	<ul style="list-style-type: none">• ensure that all project staff are aware of the location of background materials• identify on plans, where appropriate, property owners / tenants who attend• be approachable and friendly; do not be upset by impolite people• do not guess at answers; if unsure or do not know, either direct the person to other project staff who do know, or request that the person write their question on a comment sheet which will be answered at a later date (where appropriate, offer to fill out the comment sheet on behalf of the person)• decide who will collect, copy and distribute the attendance register and comment sheets the following day• take pictures of PIC• take pictures of panels - even if one has a hard copy of the information on the panel, actual pictures provide a good reference tool as well
4. Informal debriefing immediately following the PIC	<ul style="list-style-type: none">• this is a worthwhile exercise since the public comments will be "fresh" in everyone's minds

7.0 FOLLOWING THE PIC

Task	Considerations
1. Debriefing session	<ul style="list-style-type: none">• held following the submission date for comments• review type of response required, i.e. standard versus specialized• identify need for specific input from other offices• identify need for any site visits, additional investigations, etc.
2. Respond to comments	<ul style="list-style-type: none">• prepare response letters• desirable that they be sent within a month of the PIC
3. Document PIC	<ul style="list-style-type: none">• time, date, location• estimated attendance, number who signed in• staff in attendance• purpose• material present• summary of verbal comments including, type of verbal questions and concerns, degree of support or opposition• number and summary of comment sheets received at and following PIC

The following are included in this appendix. Regional-specific information may be added as well.

- Exhibit H-1
 - Materials / supplies to take to a public information centre
- Exhibit H-2
 - Typical public information centre layout
- Sample Comment Sheet
 - note that the original was set up on 8½ x 14" so that the person's name / address does not xerox on an 8½ x 11" copy.
- Attachment 1
 - Standard wording that can be used at PICs for general EA information
 - English version
 - French version
- Attachment 2
 - MTO Class Environmental Assessment Process - flowchart

EXHIBIT H-1

MATERIALS / SUPPLIES TO TAKE TO A PUBLIC INFORMATION CENTRE

(Note: This list is not all inclusive. The regions may want to identify regional-specific responsibilities or alternatively, responsibilities can be identified on a project-specific basis)

- 1. Comment sheets and numbered sign-in sheets (attendance registers)
- 2. Box for comment sheets
- 3. Pens for sign-in and comments (pens are preferable to pencils for clarity and xeroxing purposes)
- 4. Information packages (if one has been prepared), extra brochures and other material for public handout
- 5. Standard signs / panels:
 - "Sign-in here please" (or similar)
 - "Place comment sheets here" (or similar)
 - PIC signs and directional arrows
 - FOIPPA, FLSA (where required)
 - EA process - mandatory
 - Study process
 - aggregates / waste management
- 6. Display materials / panels and other, for example, a model
- 7. Stands / easels

8. Background materials:

- copies of EA Act and MTO Class EA
- roll plans and profiles
- reports and resource data
- background data
- project photo album

 9. Office and drafting supplies (for emergencies)

- scale
- tape (scotch, masking, coloured), tacks, clips
- extra pens and markers
- stapler
- knife
- file folders
- note pads
- other

 10. Refreshments and associated supplies (optional):

- coffee, coffee urn, extension cord
- tea?, kettle
- cups
- creamers, milk, sugar
- stir sticks, spoons
- napkins
- snacks (for example, Tim Bits)

 11. Other

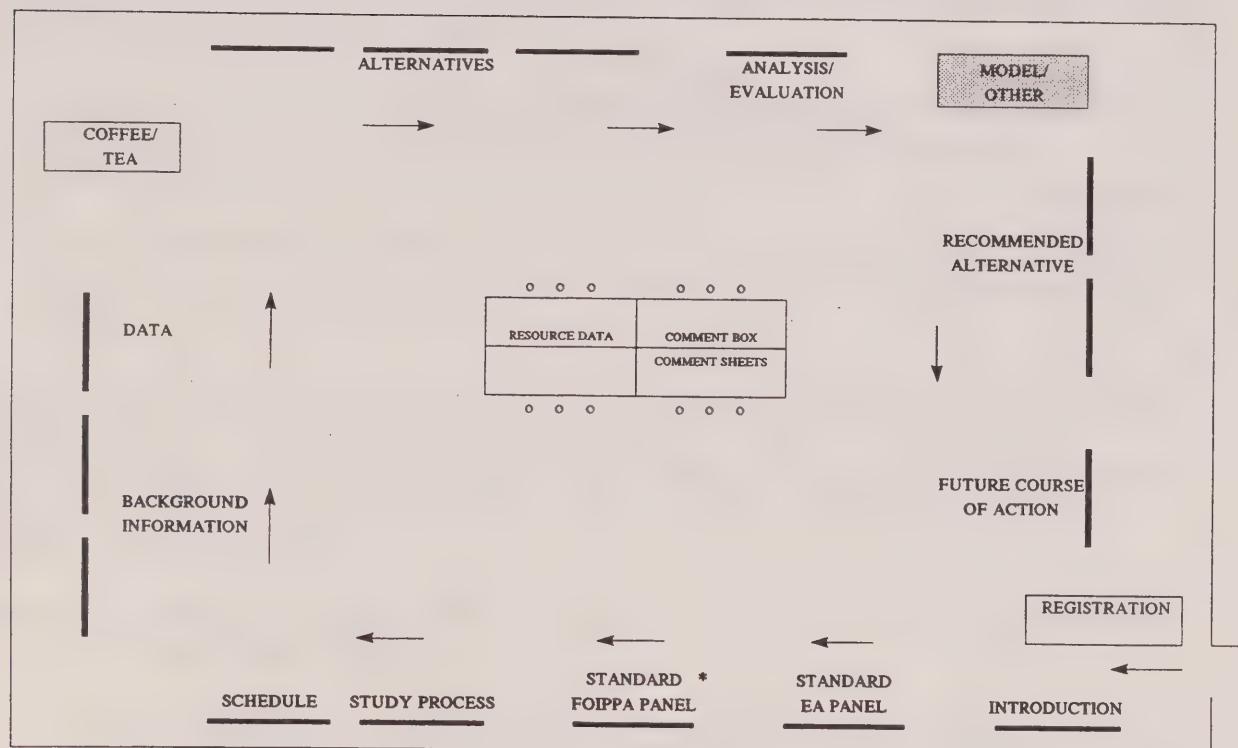
- staff name tags and business cards
- Ontario road maps
- stamped return envelopes

Optional

- camera / video (it is recommended that photos (or video) be taken of PIC panels / set-up for files and future reference)
- AV equipment / slide projector / overhead projector / screen / spare bulbs
- extension cord
- special lights for special displays (for example, model)

EXHIBIT H-2

TYPICAL PUBLIC INFORMATION CENTRE LAYOUT



* OR,
STANDARD FOIPPA PANEL
CAN BE PLACED WITH THE
COMMENT BOX AND
COMMENT SHEETS.



Ministry of
Transportation
Ontario

[PROJECT TITLE]

PUBLIC INFORMATION CENTRE

[date]

[location]

SAMPLE COMMENT SHEET

- ORIGINAL DONE ON 8 $\frac{1}{2}$ x 14"
PAPER SO THAT WHEN
XEROXING ON TO 8 $\frac{1}{2}$ x 11"
PAPER, THE NAME AND
ADDRESS ARE DELETED.

Your comments are appreciated. Please comment on any aspect of the project which you consider to be important and drop your completed comment sheet in the box provided or mail [fax] by [date] to:

MTO Project Manager
Address
Telephone / (local / toll free)
Fax

COMMENTS:

Thank you for your participation

Comments and information regarding this study are being collected to assist the Ministry of Transportation in meeting the requirements of the Environmental Assessment Act. They will be maintained on file for use during the study and may be included in study documentation. With the exception of personal information, all comments will become part of the public record.

PLEASE PRINT

NAME: _____

ADDRESS: _____

_____ POSTAL CODE: _____

ATTACHMENT 1

DRAFT

**STANDARD WORDING THAT CAN BE USED AT PICs FOR GENERAL EA
INFORMATION - ENGLISH VERSION**

ENVIRONMENTAL ASSESSMENT PROCESS

This project is being conducted in accordance with the requirements of the MTO Provincial Highways Class Environmental Assessment (1992). As part of these requirements, the following will occur:

- An Environmental Study Report (ESR) or a Reduced Documentation Letter (RDL) will be prepared and filed with the Regional Office of the Ministry of the Environment and Energy for a 45 day public review period.
- A public notice will be published in the local newspaper at the time of submission for the ESR or RDL, so that the public is aware of when and the locations where they can view this document.

You are encouraged to contact the Ministry of Transportation (MTO) Project Team at any time if you have questions or concerns about this study. If you feel, after consulting with the MTO, that serious environmental concerns remain unresolved, you may request that the project be subject to formal environmental assessment and review, including a hearing.

- Notes:*
1. *The above suggested wording may need to be changed in order to better reflect specific project details.*
 2. *This information could be translated into other languages if the PIC is located in an area where there is a significant number of people who speak these languages.*

ATTACHMENT 1**DRAFT****FRENCH VERSION****PROCESSUS D'ÉVALUATION ENVIRONNEMENTALE**

Ce projet est réalisé conformément aux exigences du processus d'évaluation environnementale de portée générale pour les routes provinciales (1992) mis sur pied par le ministère des Transports (MTO). Dans le cadre de ce processus:

- on préparera un rapport d'évaluation environnementale qui sera déposé au bureau régional du ministère de l'Environnement et de l'Énergie; il sera mis à la disposition du public pendant 45 jours aux fins de consultation;
- on publiera un avis dans le journal local au moment du dépôt du rapport afin d'informer le public de l'endroit et des heures de consultation du rapport.

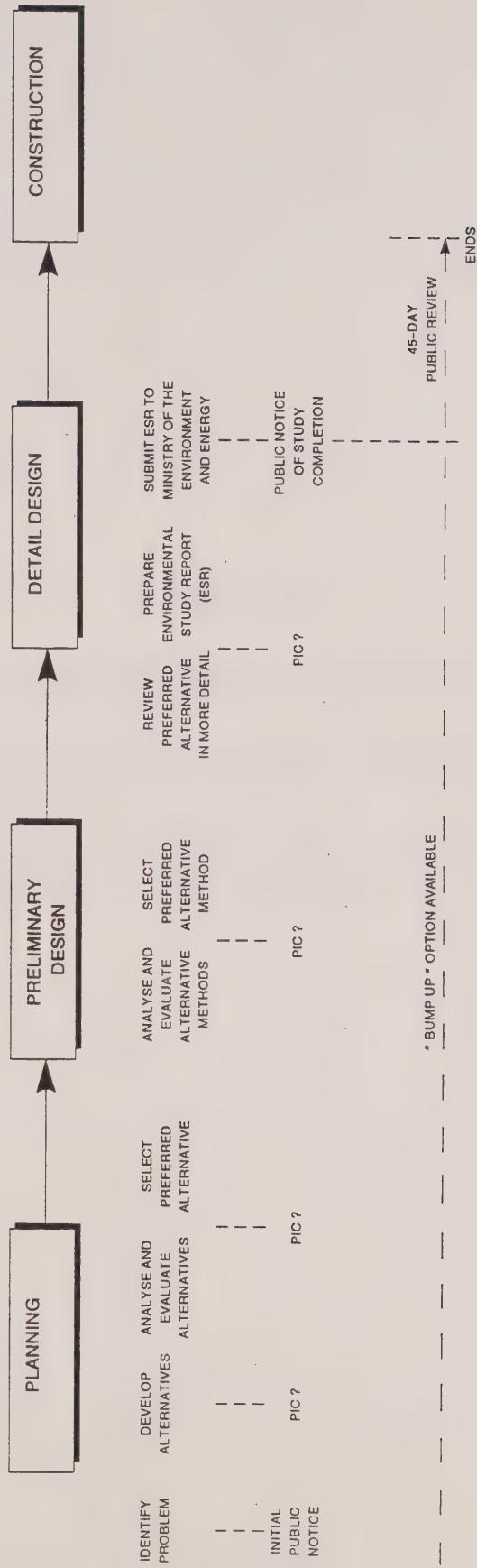
Le MTO vous invite à communiquer avec l'équipe chargée du projet si vous avez des questions ou des préoccupations concernant cette étude. Si, après avoir consulté le personnel du MTO, vous estimatez que ce projet comporte de graves risques d'ordre environnemental, vous pouvez demander qu'il soit soumis au processus d'évaluation environnementale et d'étude, qui comprendrait la tenue d'une audience.

Note: The above wording is designed for a Group "B" undertaking that requires an Environmental Study Report.

DRAFT

ATTACHMENT 2

MTO CLASS ENVIRONMENTAL ASSESSMENT PROCESS



- Notes :**
1. This flow chart has been developed for a Group 'B' project subject to the full process. It can be modified to reflect a specific project.
-eg. less emphasis on the planning stage, early submission of the ESR etc.
 2. It is desirable to identify where one is in the process by showing "We are here" and add the dates of the initial notice, any previous PICs, etc.



APPENDIX I

Other Consultation Considerations

- **Freedom of Information and Protection of Privacy Act**
- **French Language Services Act**
- **First Nation Consultation**



APPENDIX I - OTHER CONSULTATION CONSIDERATIONS

1.0 INTRODUCTION

This appendix provides information regarding the application of the following to projects carried out following the Class EA process:

- Freedom of Information and Protection of Privacy Act (FOIPPA)
- French Language Services Act (FLSA)
- First Nation Consultation

2.0 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FOIPPA)

Background:

FOIPPA came into effect on January 1, 1988 with two main objectives:

- To provide all persons with the legal right of access to general information contained in the records of ministries, agencies, subject to certain specific and limited exemptions; and
- To define the standards for the protection of privacy that must be met by these institutions when they collect, use and disclose personal information.

Under advisement from Cabinet Office and the MTO Freedom of Information, Privacy and Ombudsman Office, the ministry must manage project-specific information gathered through the regional public consultation process by:

- Defining such information as a public record or not a public record;
- Communicating the general status of such information to the public; and
- Directing the public to the appropriate MTO Regional/Head Office FOIPPA Coordinator for assistance with requests for access.

Application:

Most project-related information such as the "comment" portion of PIC comment sheets, external agency correspondence and consultant data is considered to be a public record and available by request. Prior to release, this type of information must be screened to ensure that all

references to an individual's identity are removed (unless that individual requests otherwise).

The names, addresses and telephone numbers, or any comments which might reveal the identity of a person are personal confidential information and should not be disclosed.

In order to provide general direction to the public concerning their rights to access and privacy, the following statement is recommended for uses such as comment sheets and PIC display material :

"Comments and information regarding this study are being collected to assist the Ministry of Transportation in meeting the requirements of the Environmental Assessment Act. They will be maintained on file for use during the study and may be included in study documentation. With the exception of personal information, all comments will become part of the public record."

"Le ministère des Transports recueille les renseignements et commentaires concernant cette étude pour l'aider à répondre aux exigences de la Loi sur les évaluations environnementales. Ils seront consignés dans les dossiers pour utilisation au cours de l'étude et pourraient être inclus dans les documents d'étude. À l'exception des renseignements personnels, tous les commentaires présentés seront mis à la disposition du public."

The following portion of the above statement is recommended for use **as a minimum** in situations where brevity is necessary (eg. newspaper notices):

"With the exception of personal information, all comments will become part of the public record."

"À l'exception des renseignements personnels, tous les commentaires présentés seront mis à la disposition du public."

Contacts:

Except in cases where Project Team members are comfortable with releasing information, all requests for information should be referred to the appropriate ministry FOIPPA Coordinator.

Routine / informal requests should be made through the Regional Manager of Administrative Services.

Written / formal requests must be made to:

The Coordinator
Freedom of Information, Privacy and Ombudsman Office
Main Floor, East Building
1201 Wilson Avenue
Downsview, Ontario
M3M 1J8
Tel: (416) 235-4334

In either case, the ministry Coordinator will involve other affected ministry staff in the review of information requests.

For additional information concerning the requirements of the FOIPPA and related MTO procedures, please contact the Regional FOIPPA Coordinator.

References:

- Freedom of Information and Protection of Privacy Act 1987
- Environmental Office Interpretive Bulletin D-4 (Draft)

3.0 FRENCH LANGUAGE SERVICES ACT (FLSA)

Background:

The FLSA came into effect as of November 18, 1989 and provides for government services in French to French-speaking persons in designated areas. Designated areas include:

- parts of Ontario where at least 10% of the population is French-speaking;
- urban centres with at least 5,000 French-speaking people; and
- previously designated areas.

The Act applies to most of the Ontario Public Service (head offices of all ministries, agencies, boards and commissions and to regional offices located in or servicing designated areas).

With some exceptions, all government publications intended for public distribution are required to be made available simultaneously in both English and French versions.

In addition to providing bilingual publications, all ministry work places having interaction with the public and within designated areas must assign staff to handle inquiries in the French language.

The Office of Francophone Affairs, through feedback from individual ministries, initiated a government-wide exemption of publications and other material that qualified as being of a scientific, technical, reference, research or scholarly nature. In addition, such publications must fall under one of the following categories:

- Publications which, although not restricted in circulation to the confines of the government, are not normally available for general circulation to members of the public; and/or
- Publications which are normally consulted by members of the public with the assistance of public servants.

Application:

All regional project-specific environmental reports (for example, EARs, ESRs, DCRs, ESSs) are exempt from bilingual publication due to the aforementioned criteria. A predicted listing of all regional environmental report publications for

the upcoming calendar year must be submitted to the MTO French Language Services Office (FLSO) as a condition of exemption.

With respect to the MTO public consultation process, the following procedures apply to activities associated with specific projects located within designated areas (see map and list of municipalities included at the end of this section):

Newspaper Notices:

All notice are to be advertised in both English and French simultaneously. Notices in English-language papers shall be in English while notices in French-language newspapers shall be in French. If no French-language newspaper exists in a particular area, the following statement (in French) shall be inserted into the English notice to advise where information in French is available:

"Des renseignements sur ce programme sont disponibles en français en composant (place appropriate telephone number here)"

Any map or other supplemental information submitted for inclusion into an MOEE public notice (as required by Ont. Reg. 205, EA Act) shall be either bilingual or duplicated in English and French;

As different newspapers may not be published simultaneously, English and French notices should be timed to appear as close as possible to each other.

French Services at the Workplace:

The FLSA requires the ministry to designate staff to handle French language public inquiries at the workplace. Qualified staff available to provide French language services at the workplace were designated by each Region. A list of designated staff is available from Regional Administrative Services or the FLSO. Regional technical staff who are conversant in French shall attend ministry public information centres or other public functions. It is the responsibility of the Regions to make the necessary scheduling and financial arrangements for obtaining this service through a consultant agreement, public relations firm, etc.

Materials Relating to Public Meetings:

All letters, posters, flyers, brochures, signs etc. associated with public meetings shall be bilingual. Layout of these types of material (excluding newspaper notices) should be such that English and French text appear side to side with common illustrations, or, back-to-back with illustrations on both sides. Maps, plans or other project-specific technical material are not required to be bilingual.

When, after consultation with the FLSO, it has been decided to publish separate English and French versions,

- If possible, the French and English versions should be published simultaneously;
- Both publications should be of a comparable quality of presentation and have a similar content; and
- A note such as the following should be included in French within the English version (and vice-versa) indicating the availability of a version in the other language:

" This publication is also available in English."

" Cette publication est aussi disponible en français."

Written Translation Services:

It is the responsibility of the Regions to make all scheduling and financial arrangements. All translations shall be arranged through the FLSO, using a "Request for Translation" form (see sample). The following points may help to avoid a last-minute rush:

- Costs and turn-around times will vary and should be determined in advance by the Regions;
- Approximate costs will be 22 cents per word for "non-rush" requests and 30 cents per word for "rush" requests. Turnaround time will vary, depending upon MGS workload, type of document, its technicality etc. In most cases, a non-technical document of up to 1000 words can be translated within 36 hours;
- It would be advisable to check with other regions to see if a particular translation has already been made.

Contacts:

For additional information concerning the requirements of the FLSA and related MTO procedures, please contact:

French Language Services Office
6th Floor, West Tower
1201 Wilson Avenue
Downsview, Ontario
M3M 1J8
Tel: (416) 235-4547 Fax: (416) 235-5072

References:

- French Language Services Act 1986
- MTO Directive ASE B-20 "Translation of Materials Distributed to the Public"
- Environmental Office Interpretive Bulletin D-2

REQUEST FOR TRANSLATION
Ministry of Transportation

Date: _____ Date required: _____

Name of the document: _____

Contact person: _____ Phone number: _____
extension: _____
Fax number: _____

Office name and _____

complete address: _____

Cost Centre: _____

The contact person stated above will be called once the translation is received. If you would like MGS to send us the original by courier, to be charged to your cost centre, please check this box.

Diskette required: If yes, Format / Software:

No _____ WordPerfect 4.2

_____ WordPerfect 5.0

_____ WordPerfect 5.1

_____ Multimate 5.5"

_____ WordStar

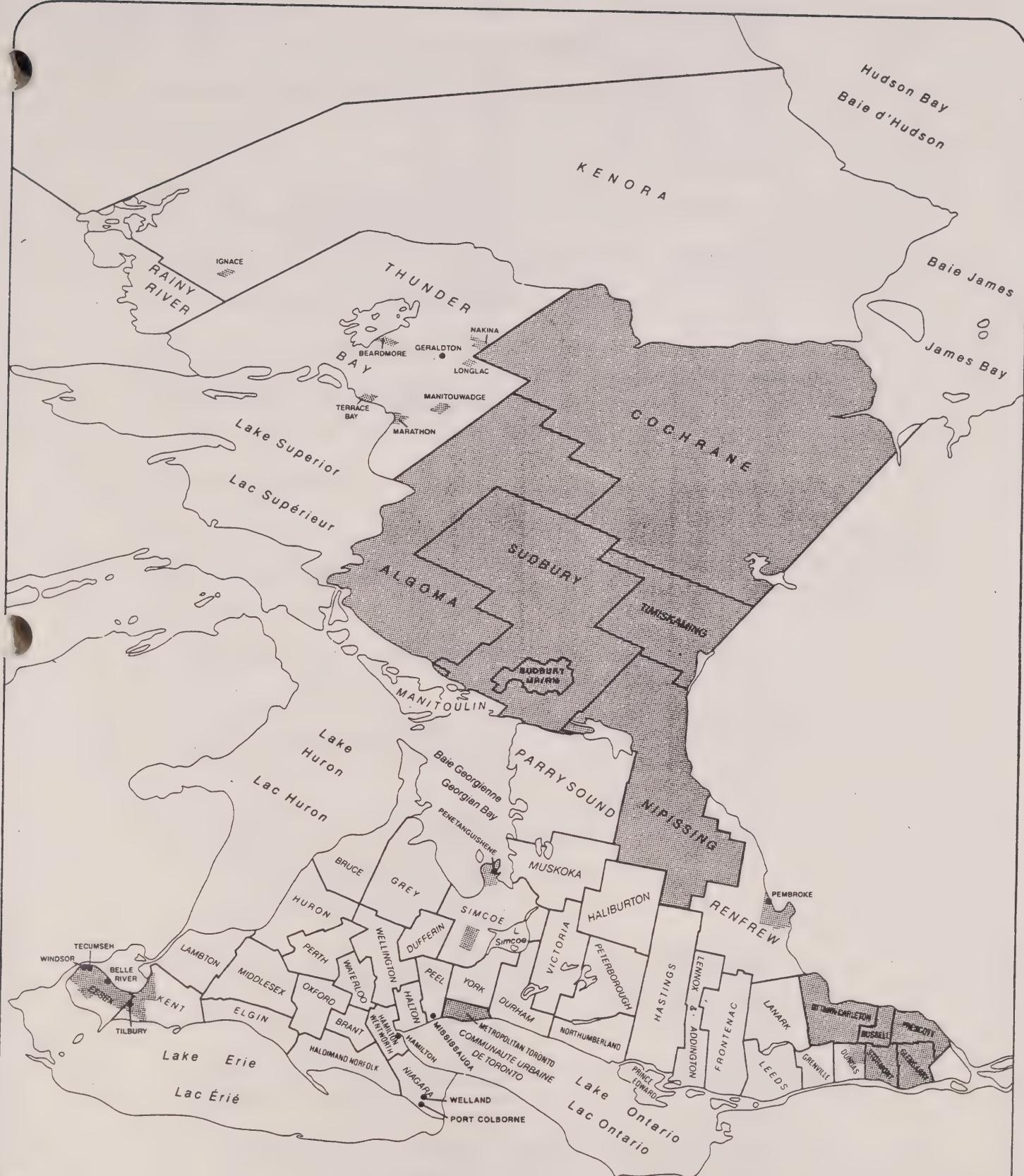
Special instructions: (if any) _____

Please provide two copies of the documents to be translated and one copy of other pertinent documents. On the pertinent documents, please indicate "For information only".

Send to:

French Language Services Office
6th Floor, West Tower
1201 Wilson Avenue
Downsview, M3M 1J8

Phone: (416) 235-4547
Fax: (416) 235-5072



FRENCH LANGUAGE SERVICES ACT - DESIGNATED AREAS



OFFICE DES AFFAIRES FRANCOPHONES
BERNARD GRANDMAÎTRE, MINISTRE

OFFICE OF FRANCOPHONE AFFAIRS
BERNARD GRANDMAÎTRE, MINISTER

FRENCH LANGUAGE SERVICES ACT - DESIGNATED AREAS

MUNICIPALITY OR DISTRICT	AREA
Municipality of Metropolitan Toronto	All
Regional Municipality of Hamilton-Wentworth	City of Hamilton
Regional Municipality of Niagara	Cities of: Port Colborne and Welland
Regional Municipality of Ottawa-Carleton	All
Regional Municipality of Peel	City of Mississauga
Regional Municipality of Sudbury	All
County of Dundas	Township of Winchester
County of Essex	City of Windsor
County of Glengarry	Towns of: Belle River and Tecumseh
County of Kent	Townships of: Anderdon, Colchester North, Maidstone, Sandwich South, Sandwich West, Tilbury North, Tilbury West and Rochester
County of Prescott	All
County of Renfrew	Town of Tilbury
County of Russell	Townships of: Dover and Tilbury East
County of Simcoe	All
County of Stormont	City of Pembroke
District of Algoma	Townships of: Stafford and Westmeath
District of Cochrane	All
District of Kenora	Township of Ignace
District of Nipissing	All
District of Sudbury	All
District of Thunder Bay	Town of Geraldton
District of Timiskaming	Townships of: Longlac, Manitouwadge, Marathon, Beardmore, Nakina and Terrace Bay
	All

MUNICIPALITÉ OU DISTRICT	RÉGION
Municipalité de la communauté urbaine de Toronto	La totalité
Municipalité régionale de Hamilton-Wentworth	La cité de Hamilton
Municipalité régionale de Niagara	Les cités suivantes : Port Colborne et Welland
Municipalité régionale d'Ottawa-Carleton	La totalité
Municipalité régionale de Peel	La cité de Mississauga
Municipalité régionale de Sudbury	La totalité
Comté de Dundas	Le canton de Winchester
Comté d'Essex	La cité de Windsor
Comté de Glengarry	Les villes suivantes : Belle River et Tecumseh
Comté de Kent	Les cantons suivants : Anderdon, Colchester North, Maidstone, Sandwich South, Sandwich West, Tilbury North, Tilbury West and Rochester
Comté de Prescott	La totalité
Comté de Renfrew	La ville de Tilbury
Comté de Russell	Les cantons suivants : Dover and Tilbury East
Comté de Simcoe	La totalité
Comté de Stormont	La cité de Pembroke
District d'Algoma	Les cantons suivants : Stafford et Westmeath
District de Cochrane	La totalité
District de Kenora	Le canton d'Ignace
District de Nipissing	La totalité
District de Sudbury	La totalité
District de Thunder Bay	La ville de Geraldton
District de Timiskaming	Les cantons suivants : Longlac, Manitouwadge, Marathon, Beardmore, Nakina et Terrace Bay
	La totalité

4.0 FIRST NATION CONSULTATION

Background

The federal and provincial governments are currently negotiating with First Nation groups on a wide range of issues (for example, self-government, land claims, etc.). As part of the provincial government's assurances to First Nation peoples, the MTO recognizes the distinct legal, historical and cultural status of First Nation peoples in its relationships with them.

Consistent with MTO's presubmission consultation process, the MTO will consult with concerned public groups, such as First Nation communities, at the earliest stages of project planning in order to encourage their participation in project planning and seek joint resolution of issues.

Policy Requirements

The process for MTO consultation with First Nation communities must, at the very least, conform with applicable federal and provincial government policy. At the present time, the most relevant policies with respect to First Nation consultation include the following:

1. First Nation and Treaty Rights

The Province of Ontario is covered by a number of different types of treaties and it is important that MTO knows and understands the nature of these treaties, along with the treaty making process.

Reserve lands are federal lands and are thereby protected from expropriation. Traditional lands, located outside Reserve boundaries, contain specific hunting and fishing territories.

2. Statement of Political Relationship

In 1990, the Ontario Government released the "Statement of Political Relationship" with First Nations. This document, among other things, formally expressed the following:

- The Ontario Government recognizes the "inherent" right of First Nations to self-government.
- First Nations will be dealt with by the Ontario Government on a government to government basis (i.e. First Nations are governments in their own right).

3. Interim Measures Agreements - Nishnawbe-Aski Nation, Robinson-Superior Treaty

The Nishnawbe-Aski (NAN) agreement requires that NAN be notified of any planned developments, dispositions or activities undertaken by, or authorized by, Canada or Ontario. Notification is addressed in Section 6.0 of the Nishnawbe-Aski Nation Aboriginal Self Government Interim Agreement, 1990. The Agreement makes reference (page 6, paragraph 6), to contacting both NAN (head office) and the affected NAN First Nation Communities.

The Robinson-Superior (RS) agreement requires that RS be notified of any application for, or request for, approval of any significant planned developments, dispositions or activities.

Under the NAN and RS agreements, a permit issuing agency must provide time for consultation (30 days for NAN, 60 days for RS) if NAN or RS groups could be impacted by an undertaking. This requirement to provide notification can be waived if MTO can demonstrate to the agency that the province's obligations under these agreements have already been met.

If an MTO undertaking is located in the vicinity of a NAN or RS Reserve or Caution area or may impact NAN or RS groups, the project manager should contact the Band Chief as well as the Grand Chief as indicated in the form letter that is also attached (Note: This process could also be used for contact with other First Nations Groups, if desired).

As a result of ongoing government discussions with First Nation Groups, the MTO will need to follow any federal or provincial policy on First Nation consultation that may emerge from these discussions.

MTO Contacts

For EA and Fist Nation Issues:

EA and Social Factors Section
Environmental Office
2nd Floor, West Building
1201 Wilson Ave.
Downsview, Ontario M3M 1J8

Phone: (416) 235-3478

For Corporate First Nation Issues:

Project Manager
Aboriginal Issues Project
Corporate Project Group
Corporate Policy Office
Main Floor, East Building
1201 Wilson Ave.
Downsview, Ontario M3M 1J8
Phone: (416) 235-3593

**SAMPLE COPY OF TYPICAL CONTACT LETTER
FOR LAND CLAIM AREAS ASSOCIATED WITH THE ROBINSON-SUPERIOR
AND NISHNAWBE-ASKI NATION INTERIM MEASURES AGREEMENTS**

To be used for all MTO undertakings that fall within the appropriate land claim area.

To the appropriate Treaty Council **and** First Nation

Re: Project Description

Please take this to be your notice pursuant to the Nishnawbe-Aski Nation (or Robinson-Superior) Interim Measures Agreement.

The Ministry of Transportation is undertaking a study to examine the upgrading of Highway to

The work will consist of

In addition to the above work, certain components of ministry contracts also require specific permits from other agencies such as the Ministry of Natural Resources and the Ministry of the Environment and Energy. This includes, but is not limited to, water taking permits, aggregate permits, waste material sites, etc. This is your opportunity to address any specific concerns you may have with these activities.

(If this is a Group "B" project, include the standard environmental assessment wording found in the initial contact letter to the public. If this is a Group "C" project no other wording is required.)

We request that your queries and comments be forwarded to the attention of the undersigned by (60 days for RS, 30 days for NAN).

Yours truly,

MTO Project Manager

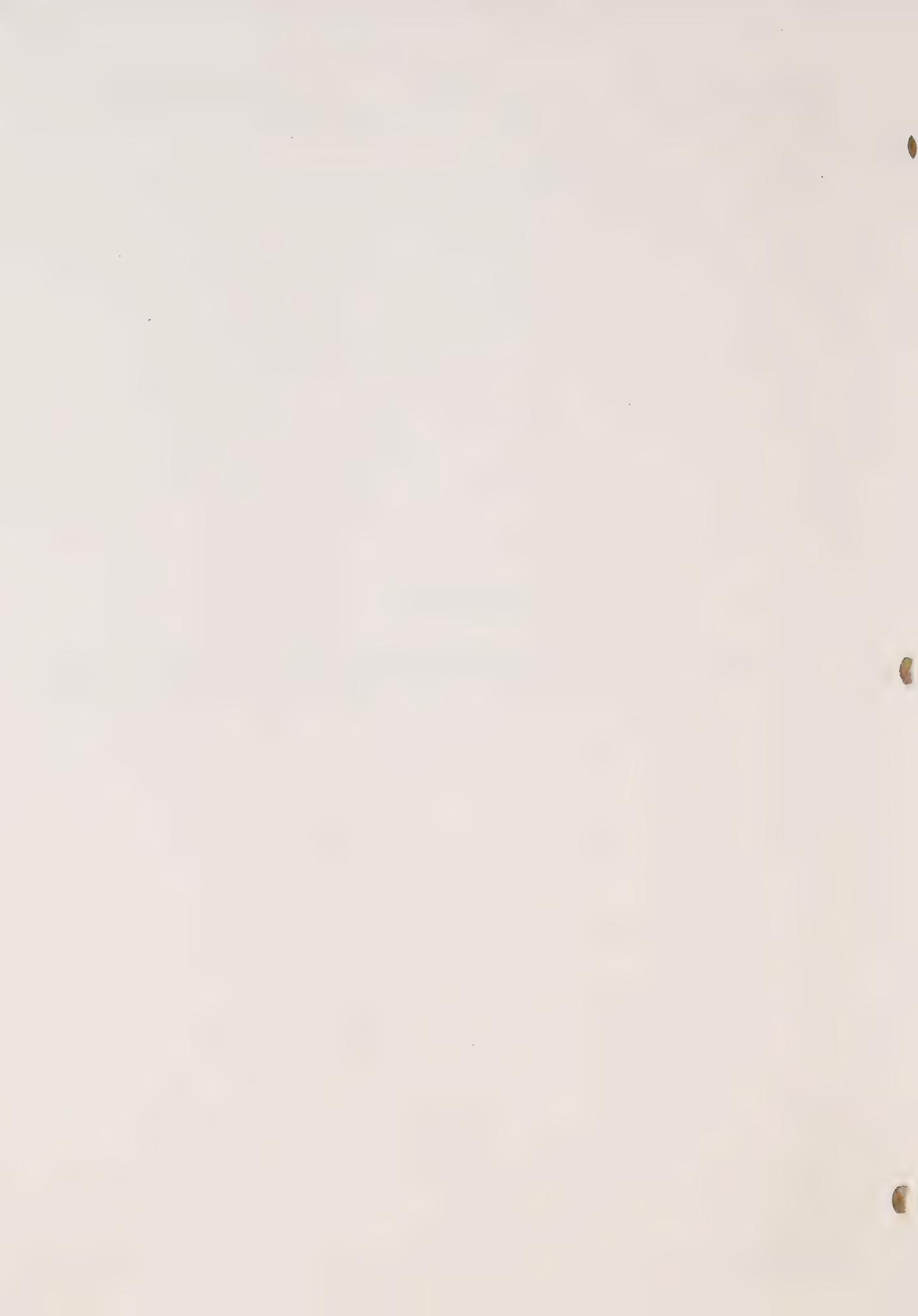
cc: MTO Regional
 Environmental Planner

Notes: • Liasise with the staff in the Environmental Unit
• Include a clear map that shows the limit of work
• This letter could be modified for use with other First Nations
• Consideration should be given to translating this letter into the appropriate native language.

(Regions to insert maps / contacts, etc. regarding the Nishnawbe-Aski Nation (NAN),
the Robinson-Superior (RS) Treaty and any other First Nation Groups)

APPENDIX J

Data Sources



APPENDIX J - DATA SOURCES

1.0 EXTERNAL DATA SOURCES

This list has been prepared to provide assistance to regional staff and is not all-inclusive.

Ministry of Agriculture and Food

- Ontario Soil Survey
- Canada Land Inventory Soil Capability for Agriculture (CLI)
- Foodland Guidelines, Policy Statement of the Government of Ontario on Planning for Agriculture (1978)

Ministry of Culture, Tourism and Recreation

- Registered archaeological or heritage sites

Ministry of Consumer and Commercial Relations

- Information regarding gas stations, fuel tanks / storage, etc.

Ministry of the Environment and Energy

- Water quality criteria
- Surface water quality data
- Water well records
- Air quality data
- Noise levels / studies
- Spill records
- Abatement records / Orders
- Certificate of Approvals
- Waste management information (for example, disposal sites)

Ministry of Natural Resources

- District Land Use Plans - these identify goals / policies / objectives for natural resource conservation in the district.
- Resource mapping - usually at a scale of 1:50,000
 - identifies cold / warm water creeks, ESAs, ANSIs, significant species, rated wetlands, aggregate resources, etc.
- Fisheries Management Plan
- Forest Resource Inventory (FRI)
- Timber / Forest Management Plan
- Aggregate Resources Inventory Papers (ARIP)
- Miscellaneous - e.g. stream surveys

Ministry of Northern Development and Mines

- Geological mapping
- Mining and mineral information

Conservation Authorities

- Watershed Plan (where available)
- Floodplain / fill line mapping
- HEC 2 analysis
- Wetland Evaluations
- Individual studies identifying ESAs, etc.

Local Architectural Conservation Advisory Committee (LACAC)

- Inventory of heritage buildings

Municipalities

- Official Plan
- Any other studies

Other

- Niagara Escarpment Commission - Niagara Escarpment Plan
- Office of the Greater Toronto Area - planning / policy documents
- Reports, etc., prepared by other agencies, e.g. Ontario Hydro
- Interest groups - e.g. vegetation inventory done by local naturalist group

2.0 INTERNAL DATA SOURCES

- Project-specific documentation prepared earlier in the project:
e.g. • Justification Report
 - Planning Report
 - Preliminary Design Report
- Environmental Audit Report
- audit of properties purchased by MTO (e.g. gas station - contamination issues)
- Factor-specific reports that may be prepared for the project:

Prepared by / for the Environmental Unit:

- Noise Report
- Acoustic Design Advice
- Archaeological reports
- Fisheries reports

- Heritage reports
- Vegetation survey

Prepared by / for other internal MTO sections / offices:

- Soils Design Report*
- Geotechnical Report*
- Pavement Design Report*
(* may be combined)
- Foundation Report
- Structural Planning Report
- Hydrology Report
- Property Report

Note: Although these reports are prepared during detail design, preliminary draft interim reports may be available earlier in the process.



APPENDIX K

Project-Specific Environmental Permits and Approvals



APPENDIX K - PROJECT-SPECIFIC ENVIRONMENTAL PERMITS AND APPROVALS

"DRAFT"

Canada Fisheries Act

- authorization required to harmfully alter fish habitat (Section 35(2))

Canada Migratory Bird Convention Act (MBCA)

- for the purposes of maintenance or construction on MTO bridges and culverts, MTO has negotiated an annual "Migratory Bird Permit - General" with the Canadian Wildlife Service (CWS), that allows for the removal of nests and eggs (but not young) of all species of Swallow.
- for any other bird species protected under the MBCA, a site specific permit must be obtained from CWS.

Ontario Environmental Protection Act

- certificate of approval required to construct, alter, extend or replace any structure, equipment, apparatus, mechanism or thing that may discharge or from which may be discharged a contaminant into any part of the natural environment other than water (Section 9)
- certificate of approval required to use, operate, establish, alter, enlarge or extend a waste disposal site (old Section 27)
- certificate of approval required to make use of land which has been used for the disposal of waste (old Section 45)
- certificate of approval required to construct, install, establish, enlarge, extend or alter any sewage system or any building which will require construction, installation, enlargement, extension or alteration of any sewage system (old Section 64)
- permit required to use or operate a sewage system (old Section 67)

Ontario Heritage Act

- license required to salvage archaeological resources

Ontario Water Resources Act

- permit required to take more than a total of 50,000 ℓ of water in a day (old Section 20)
- permit required to construct a well in an area designated by regulation (old Section 22)
- certificate of approval required to establish, alter, extend or replace new or existing water works (old Section 23)
- certificate of approval required to establish, alter, extend or replace new or existing sewage works (old Section 24, new Section 53)

Ontario Regulation 11/81 (old)

- director's instructions required for movement of PCBs from one 11/82 site to another

Informal Authorizations

- to reuse industrial "wastes" as light weight fill
- to reuse surplus concrete outside the right-of-way
- to open burn
- to manage slightly contaminated soil other than at a certified waste disposal site
- to reuse spent blast medium in another product
- to store flammable materials

APPENDIX L

Evaluation Methodologies



APPENDIX L - EVALUATION METHODOLOGIES

The evaluation of alternatives (that is, "alternatives to" the undertaking and "alternative methods" of carrying out the undertaking) is a fundamental requirement of the Environmental Assessment Act (EA Act). In conducting these evaluations when planning a project, proponents must use one or more of a number of formal evaluation methods.

An evaluation method is defined by the Ministry of the Environment and Energy (MOEE) as a formal procedure for establishing an order of preference among alternatives. Formal evaluation methods are used after criteria have been established, data have been gathered, analyzed and scaled and preferences have been identified and documented. If evaluation methods are used properly, they provide a neutral basis for discussion and negotiation between opposing parties and a traceable, defensible rationale for selecting preferences. Use of appropriate evaluation methods will make a contribution to improved planning and documentation and fewer unnecessary disputes with interested parties.

The methodologies used by MTO for evaluating and selecting a preferred "alternative to" or "alternative method" consider the potential positive and negative effects to the natural, social, economic and cultural environments; transportation considerations; engineering feasibility; and cost-effectiveness. Therefore a comparative evaluation of the advantages and disadvantages is carried out to determine a preferred alternative. Trade-offs are inherent in this process.

In general, only **some** Group "B" projects will require the use of formal evaluation methodologies. Group "C" and "D" projects do not require formal evaluations. The alternatives assessed in specific Group "B" projects will vary depending on the location, type and complexity of the project. MTO will assess this application on a project-by-project basis. Very complex Group "B" projects may approach the complexity associated with Group "A" (individual environmental assessments), consequently requiring the extensive investigations usually reserved for Group "A" projects. The evaluation methods used, and the resulting evaluation of alternatives must be described in the Environmental Study Report (ESR) prepared for Group "B" projects. Whatever technique is used, it is imperative that it be thoroughly documented in order to provide for traceability of the evaluation process used.. The latter is being actively promoted by MOEE.

MOEE published "Evaluation Methods in Environmental Assessment" in 1990 with the intent of explaining the proper function of evaluation methods, the different kinds of methods available and their characteristics, and the common pitfalls to be aware of and avoid, in using these methods. This document is available from the MOEE, Environmental Assessment Branch, and should be consulted as required.

Reference:

- "Evaluation Methods in Environmental Assessment", MOEE, 1990.

APPENDIX M

Environmental Study Report,

Reduced Documentation Letter

and

Environmental Study Files



APPENDIX M - ENVIRONMENTAL STUDY REPORT, REDUCED DOCUMENTATION LETTER AND ENVIRONMENTAL STUDY FILES

A. REVIEW FOR DOCUMENTATION TYPE

Typical Group "B" projects are subject to full documentation. For these projects an Environmental Study Report (ESR) is prepared as discussed in Section B of this appendix. There will be projects subject to the Class EA process, however, for which no significant detrimental environmental effects can be identified and for which there is no significant public concern. For these projects an ESR is not required and a "reduced documentation" option is applied as discussed in Section C of this appendix.

In order to determine the applicability of the reduced documentation option, the project is reviewed when sufficient information has been obtained. The parent Class EA notes that the review process involves determining whether significant environmental effects and/or concerns have been identified through contacts with external agencies and the public and within MTO during the process. The review process is carried out in the context of the complexity screening criteria identified in Exhibit 6 of the manual. If no significant effects and/or concerns have been identified, then the reduced documentation option is applicable (see Section C of this appendix). While the parent Class EA does not include formal screening for reduced documentation, a screening process for MTO internal use has been prepared and is included as Exhibit M-1. It is suggested that this form or something similar be prepared and attached to the MTO file copy of the letter to the Ministry of the Environment and Energy (MOEE). Since there is no formal requirement to send the form to MOEE, it is optional to do so.

Early in the preliminary design stage, a preliminary review of possible documentation (i.e. an Environmental Study Report (ESR) or Reduced Documentation Letter (RDL)) is carried out by the environmental planner to ascertain the potential applicability of the reduced documentation option since this in turn can affect how the project proceeds through the process.

The main reasons for considering reduced documentation are:

- no significant detrimental environmental effects
- no significant public or external agency concerns

EXHIBIT M-1

SCREENING FOR REDUCED DOCUMENTATION

PROJECT

- W.P. -
- Highway -
- Location -
- Length -
- Type of work / EA classification -
- Municipality -
- District No. -

PUBLIC CONSULTATION

- Initial Notification -
- Comments / Concerns -
- Conclusions -
- Public Information Centre -
 - Date
 - Attendance
 - Comments

EXTERNAL CONTACTS

- Agency / Date contacted -
 - Comments / concerns -
 - Conclusions -
- [repeat for each agency contacted]*

MTO REVIEW

No Unlikely Likely Yes

- Have any significant concerns been identified?
- Are there any significant environmental issues?
- Has a need for documentation been identified?
by whom?

SUMMARY

- *[note the applicability of the reduced documentation option and why]*
- *[identify date for termination of review]*

Upon confirmation of the reduced documentation option, a written summary of the rationale is necessary for MTO's files (see Exhibit M-1). If reduced documentation is not confirmed, then an ESR is required.

B. ENVIRONMENTAL STUDY REPORT (ESR)

In order to obtain project "environmental clearance" (see Section 3.4 of the manual) an ESR is prepared for those projects subject to full documentation. The ESR may be prepared and submitted to the Ministry of the Environment and Energy (MOEE) for monitoring and information purposes, anytime following the completion of preliminary design as long as the appropriate level of detail design is provided, where necessary, to identify environmental effects and mitigation and to confirm engineering requirements.

B.1 Early Submission of the ESR

The flexibility to enable the early submission of the ESR is required for those projects where there may be a need to confirm public acceptance of the project prior to completion of detail design; to address projects separately for contract administration (although they will be planned together as a group); and to provide sufficient time to address scheduling issues associated with those activities that are carried out after "environmental clearance" but prior to construction.

B.1.1 Preliminary Review for Early Submission of the ESR

Therefore, early in the preliminary design stage, a preliminary review is carried out by the environmental planner to ascertain the need for early submission since this, in turn, can affect the manner in which the project proceeds through the process.

It should be noted that there are advantages and disadvantages associated with early submission. Possible reasons for obtaining "environmental clearance" prior to commencing detail design include:

- need for a good level of confidence that adequate environmental assessment has been done to proceed with environmental clearance and project continuation / implementation
- need to divide the study into different / numerous contracts for detail design
- need for early scheduling of utility relocations

- need to reduce the risk of proceeding with the cost of detail design without having environmental clearance, for example, a controversial project with a high possibility of a "bump-up"
- need for approval of a preliminary design concept, for example, a special median barrier
- need to address federal environmental assessment requirements

Where early submission is pursued, however, it must be recognized that: 1) the earlier the submission of the ESR, the earlier it becomes "stale-dated"; and 2) follow-up documentation will likely be required for MTO internal use and / or external agencies. The nature of the follow-up documentation will depend on the project and the issues, however, options include:

- Design and Construction Report (as prepared for Group "A" projects)
- letter(s) to appropriate external agencies
- an addendum, where there have been changes. This, however, would require a second "environmental clearance" which may involve a certain risk (for example, ability for a "bump-up" request).
- where there have been significant changes and more than five years has passed, then the preparation of an additional ESR could be considered in order to ensure continued external and public acceptance of the project. The preparation of a subsequent ESR, however, would require a second "environmental clearance" which may involve a certain risk (for example, the possibility for a "bump-up" request).

B.2 Submission to the Ministry of the Environment and Energy

The ESR is submitted to the appropriate regional office of the MOEE, for monitoring and information purposes. A copy should be sent to the appropriate MOEE district office(s) where deemed to be of value or necessary. At the time of submission, a final mandatory notice is released advising the public and external agencies of the completion of the ESR and the commencement of a 45-day review period (see Appendix E). "Bump-up" requests are addressed as described in Appendix C of the manual. If there are no outstanding "bump-up" requests at the end of the 45-day review period, then MTO may proceed to project implementation. Following submission of the ESR, MTO continues to consult and provide documentation as per the commitments made in the ESR.

The ESR is also sent to the Environmental Assessment Branch of the MOEE in the following circumstances:

- cases where a "bump-up" request has been made or is expected to be made;
- unusual or controversial projects which may require special attention; and,
- where a direct request has been made by the Ministry of the Environment and Energy.

B.3 Distribution

The parent Class EA notes that, when the ESR is submitted, copies of the ESR are always provided to:

- affected regional and/or district offices of the Ministry of the Environment and Energy for the public record (see Section B.2 for details);
- the Provincial legislative library (2 copies);
- other public places as required, to provide reasonable public access to the report;
- individuals or groups who request one;
- agencies who have requested a copy of the report or have made significant comments during the project; and
- MTO offices as required.

The details of report administration, specifically printing and distribution (as outlined in Interpretive Bulletin K-2) are provided in Attachment 2 of this appendix.

B.4 Format and Content

The ESR format provides a clear and easily understood summary of the project without providing excessive and unnecessary background information. It focuses on describing the project and its impacts, mitigating measures and net effects.

The format and content of the ESR generally follows the outline appended to this section as Attachment 1. The outline may be modified, however, as dictated by the requirements of the specific project. A large and/or complex project is documented in a more comprehensive manner than a smaller less complex project.

B.5 Addendum to an Environmental Study Report

An addendum to an ESR may be required if there is a significant time lag between completion of the ESR and project implementation or if circumstances arise where a change to the commitments outlined in the ESR is required. The latter may come

about as a result of a change in conditions, the development of new technology or mitigating measures, or the appearance of previously unidentified concerns.

Proposed changes are discussed with those external agencies previously involved as well as any affected agencies and public. Depending on the significance of the changes it may be necessary to issue an addendum. The addendum documents the circumstances necessitating the change, the anticipated environmental effects and proposed mitigation.

An addendum is filed with the Ministry of the Environment and Energy and notice of filing is provided to all affected parties (if the changes occur prior to the commencement of construction). Copies of the addendum are made available to affected parties upon request. If the general public is affected, then a newspaper advertisement is required.

A minimum of 10 days is allowed for affected parties to review the change and register any objections or concerns. During this time, no work may be undertaken which might adversely affect that part of the project under review, unless all affected parties have reached agreement that the 10 days for documentation and review are not required.

If the ESR addendum is submitted before contract award, a "bump-up" request could be initiated during this 10-day review period, see Appendix C. It should be noted that if the ESR addendum is submitted after contract award, the parent Class EA does not provide for the "bump-up" option.

Infrequently an unexpected change may be required during construction. In these cases proposed changes are discussed with affected parties and implemented without delay. An addendum is not submitted under these circumstances; however, significant changes (with significant environmental impacts) are documented as part of the environmental files.

C. REDUCED DOCUMENTATION

If reduced documentation is appropriate, (see Section A of this appendix), a Reduced Documentation Letter (RDL) is sent to the appropriate regional office of the Ministry of the Environment and Energy and other directly-involved agencies explaining why an ESR is not required. A copy should be sent to the appropriate MOEE district office where deemed to be of value or necessary.

The RDL is also sent to the Environmental Assessment Branch of the MOEE in the following circumstances:

- cases where a "bump-up" request has been made or is expected to be made;
- unusual or controversial projects which may require special attention; and,
- where a direct request has been made by the Ministry of the Environment and Energy.

The MTO Environmental Office also requires a copy of all RDLs for clearance audit purposes.

The screening provided in Exhibit M-1 (or something similar) should be prepared and attached to the MTO file copy of the letter to MOEE. Since there is no formal requirement to send the form to MOEE, it is optional to do so.

Concurrently a public notice is issued indicating that the project has been screened and that an ESR will not be prepared. Where applicable, the RDL will address mitigation. Sample notices and letters are included in Appendix G.

The RDL may be submitted any time following the completion of preliminary design. Refer to Section B.1 of this appendix for a discussion of early submission. Where early submission is pursued, should the RDL become "stale-dated", one runs the risk of having to resubmit it as an ESR.

A 45-day public review period is provided during which any party can request that MTO proceed with normal Class EA documentation requirements (i.e. an ESR), or request that the project be "bumped-up" to a Group "A" project and require an individual environmental assessment. Concerns and/or requests are addressed by:

- assessing whether the project should be modified;
- including additional mitigating measures;
- re-examining the need for an ESR;
- re-assessing the original EA classification to ensure its applicability.

"Bump-up" requests are addressed as described in Appendix C of the manual.

If, by the end of the 45-day public review period, there are no outstanding "bump-up" requests, the project may proceed to project implementation and no further documentation under the Class EA is required.

D. ENVIRONMENTAL STUDY FILES

Detailed environmental and other project information that is collected and analyzed during the planning and design process is maintained in the MTO environmental study files.

Pertinent information in the environmental study files is available for reviewing (in accordance with the Freedom of Information and Right to Privacy Act, see Appendix I) to government reviewers, members of the public and special interest groups. Anyone interested in discussing or reviewing information collected for a project but not included in either the ESR or RDL should contact either the MTO project manager or environmental planner assigned to the project. The appropriate contact is identified in the mandatory project notices and on the signature page of the ESR.

ATTACHMENT 1 - ENVIRONMENTAL STUDY REPORT - FORMAT AND CONTENT

The following provides a guideline for the content of an Environmental Study Report (ESR) for a typical Group "B" project. For more complex projects, the detail in the ESR is expanded accordingly. In some cases the level of detail may approach or be equal to that of a Group "A" study.

ENVIRONMENTAL STUDY REPORT

TABLE OF CONTENTS

EXECUTIVE SUMMARY

CHAPTER 1 - The Environmental Study Report

CHAPTER 2 - Project Summary

- 2.1 *Description of the Project*
- 2.2 *Project Justification and Purpose*
- 2.3 *Significant Environmental Features*
- 2.4 *Description of Alternatives*
- 2.5 *External and Public Involvement*

CHAPTER 3 - Environmental Effects and Mitigating Measures

- 3.1 *Environmental Effects and Mitigating Measures*
- 3.2 *Summary of Identified Concerns and Mitigating Measures*

CHAPTER 4 - Monitoring

APPENDICES

EXECUTIVE SUMMARY

This chapter provides a summary of the information contained in the ESR.

CHAPTER 1 - THE ENVIRONMENTAL STUDY REPORT

This chapter describes, in general, what an ESR represents. For example:

"The Environmental Study Report (ESR) is prepared in compliance with the requirements of the Provincial Highways Class Environmental Assessment which has been accepted and approved under the Environmental Assessment Act. The ESR documents the environmentally significant aspects of the planning, design, construction and operation of specific Group "B" projects which fall within the definition of the Class. It includes a description of the project and its purpose, specific environmental effects and mitigation measures, and committed monitoring procedures, associated with the implementation of the project."

Other aspects of this class of undertaking, such as environmental assessment process, are contained in the Provincial Highways Class Environmental Assessment. Readers interested in these matters are encouraged to refer to that document.

In addition, detailed background information is contained in the environmental study file and the Preliminary Design Report as available. The project manager or environmental planner is available to discuss this information".

CHAPTER 2 - PROJECT SUMMARY

This chapter provides a detailed description of the proposed project including its location and purpose.

2.1 Description of the Project

This section describes the major elements of the selected alternative including:

- location of the project;*
- study and project area maps; and,*
- major engineering and design features.*

2.2 *Project Justification and Purpose*

This section provides a statement of the justification and need for the project by describing what the project is meant to achieve. This includes a description of the identified deficiencies that are being addressed and the specific objectives of the project. It also outlines how the project fits into a regional transportation context. Relationship to other projects, if any, are identified.

2.3 *Significant Environmental Features*

This section identifies the significant existing environmental features within the study area which may influence the development and assessment of alternatives. During the study environmental components are scoped to determine those of concern and/or significance which therefore require the assessment of effects and consideration of mitigation. This section therefore identifies the results of the scoping process.

2.4 *Description of Alternatives*

This section contains a brief description of alternatives which were considered, and the reason(s) why they were rejected. It includes a discussion of reasonable "alternatives to the undertaking" where it is possible to do so. In many cases, however, there may be no reasonable "alternatives to the undertaking" for discussion. This section also includes a discussion of "alternative methods of carrying out the undertaking". Where appropriate, this section addresses the environmental effects of the alternatives and mitigating measures. For more complex projects, the level of detail is expanded accordingly.

2.5 *External and Public Consultation*

This section briefly outlines the external and public consultation which took place. This includes the dates of the formal mandatory notices, pertinent information about public information centres and/or other supplementary meetings, and a brief statement about the external agency and public comments regarding the project. This section should identify the external and public concerns and how they were addressed.

CHAPTER 3 - ENVIRONMENTAL EFFECTS AND MITIGATING MEASURES

This chapter focuses on the specific direct and indirect effects on significant environmental features and highlights the means being proposed to minimize detrimental effects. Mitigating measures include planning decisions, design features, construction requirements and construction constraints are identified and described.

3.1 Environmental Effects and Mitigating Measures

This section includes:

- *a description of the potential direct and indirect environmental effects associated with the selected alternative. The description includes both the beneficial and detrimental environmental effects and indicates who expressed the concern;*
- *a description of the measures incorporated into planning, design and construction to prevent, lessen, or remedy potential detrimental environmental effects;*
- *an explanation of why mitigating measures were not used where there will be detrimental environmental effects - reasons may be related to cost effectiveness, design problems, etc.;*
- *a discussion of why alternative mitigating measures, that were as effective or better than the measures selected, were rejected and;*
- *a description of detrimental effects that may result from mitigating measures.*

3.2 Summary of Identified Concerns and Mitigating Measures

Where specific concerns are identified by external agencies, interest groups and the public, during the planning and design process, they are summarized in the text or a chart. A summary chart is prepared for those mitigating measures to be implemented and includes:

- *major environmental concerns;*
- *specific source of concern;*
- *mitigating measures committed.*

CHAPTER 4 - MONITORING

The final chapter of the Environmental Study Report explains the specific programs established to monitor various aspects of the project. This may include monitoring of: 1) environmental effects of construction or of operation of the facility; 2) the effectiveness and adequacy of mitigating measures such as contract special provisions; or 3) any other significant environmental factor.

The monitoring commitments should give an indication of who is to be responsible for the monitoring and if possible, what tests or measures will be used.

If external contacts are to be made during the monitoring process or if reports are to be provided, these will be specified.

APPENDICES

In an effort to keep Environmental Study Reports as concise and to the point as possible, it is not expected that large amounts of material would be appended. However, there will be occasions when technical support to a specific aspect of the project may be of assistance. As with other aspects of the ESR, the extent of the appendices will likely vary with the complexity of the project, and/or the issues identified during the project.

The appendices may include items such as the following:

- *design criteria;*
- *public notices;*
- *significant submissions from external agencies and/or the public;*
- *supporting studies regarding significant environmental factors;*
- *glossary of terms;*
- *minutes from significant meetings;*
- *relevant operational constraints and/or special provisions.*

ATTACHMENT 2 - ENVIRONMENTAL STUDY REPORT - REPORT ADMINISTRATION (AS PER INTERPRETIVE BULLETIN K-2)

SIGNATURES

The following signatures with accompanying typed names shall appear on the title page of all the environmental reports.

Prepared or
Reviewed by: Environmental Planner
Project Manager

Approved by: Manager, Engineering and Right-of-Way
Manager, Construction Office

If the report is prepared by a consultant, the consultant's name and logo may appear on the title page.

COVERS

Covers are to be printed on Grey Crystal recycled paper.

Original cover art on High Contract Paper (HCP) has been provided to the regions by the Environmental Office. Project-specific information must be added to the cover art. If the HCP original (flagged "Cover Art"), is to be used, it shall be submitted for printing with the text of the document and will then be returned by the MTO Publishing Management Office with the completed documents, for reuse. Good quality photocopies may be used instead of the HCP cover art.

To order additional HCP cover originals or photocopies, request the desired number of "PH-D-496 Environmental Study Report, Cover Sheet", (8½ x 11") on the Reprographic Centre portion of a Graphic Services requisition, specifying HCP or photocopies.

Regions wishing to print their own reports may order the required amount of blank paper for printing covers by requesting 8½ x 11" Grey Crystal paper, cover weight, on a Graphic Services requisition. The minimum amount to be ordered is 25 sheets.

PRINTING

Regions wishing to use MTO printing services should prepare their own reports and submit them along with a Graphic Services requisition form to:

MTO Publishing Management Office (PMO)
Lower Level, East Building
1201 Wilson Avenue
Downsview, Ontario M3M 1J8

Reports should be submitted to the PMO at least two weeks prior to the desired completion date.

TO PREPARE THE REPORT FOR PRINTING

- Compare the table of contents with the titles and page numbering within the report.
- Ensure that the report follows the general format requirements as outlined in Attachment 1 of this appendix.
- Number all pages on the back side, lower right corner, beginning with the signed cover page. Add an "S" above this page number where a page requires single sided copy (for example, cover, key maps, appendix divider) and also flag this page with a yellow "post-it" note, marked single sided, on the right side of the document. Original documents are to be submitted, single sided.
- If photographs have been included in the originals attach "post-it" notes and mark them "short run". Note this on the requisition form.
- If colour maps or photos are included, attach "post-it" notes and mark them "colour copy" or "black and white copy". Note this on the requisition form.
- Have the report title typed on white paper, cut to size and "scotch tape" this to the original cover art, centred between the 2 sets of parallel horizontal lines. Include this with the document original. Indicate on the requisition that covers are to be printed on Grey Crystal, using the cover art supplied.
- If the report contains maps larger than 8½ x 11", mark them with a yellow "post-it" note and request that they either be folded or put into pockets and note this on the requisition. This report will then require cerlox binding which must be indicated on the requisition.
- When the report does not include foldouts, pockets or inserts (for example, heavier weight dividers), request Perfect Binding.

PREPARING THE GRAPHIC SERVICES REQUISITION FORM

- A blank form is provided.
- Fill in the location code, cost centre and office address.
- Allow for two weeks when calculating the "Date Required".
- Request that completed reports be mailed (back to region - mailing time is included in the two week turn around).
- Request the number of regional copies required plus seven for Head Office distribution.
- The PMO will mail out the individual copies if addressed envelopes are included and specific instructions written on the requisition.

To enquire about printing jobs, phone (416) 235-4367. Have the requisition number for that report.

SUBMISSION TO MOEE

Submission to MOEE is discussed in Section B.2 of this appendix. Each region is responsible for the submission of its environmental reports to the MOEE. A letter of transmittal shall accompany each report as follows:

In the case of ESRs and Addendums to ESR's, etc., accompanying letters of transmittal shall be signed by the Manager of Engineering and Right-of-Way or designate.

DISTRIBUTION

Each region is responsible for undertaking Head Office, regional and external distribution of ESRs. The required distribution is shown in Exhibit M-2. Additional reports may be placed in additional public review locations and / or given out on a discretionary basis to other agencies, interest groups or individuals, as determined.

EXHIBIT M-2**REQUIRED DISTRIBUTION FOR ESRs**

Required Head Office Distribution		
Report	Letter of Transmittal / Covering Memo	Recipient
	✓	Director, Resources Management Branch
✓	✓	Director, Legal Services Branch
✓	✓	Head, Contact Verification Section, Contract Management Office
✓	✓	Head, Library Services
	✓	Senior Manager, Surveys & Design Office
✓	✓	Manager, Environmental Office
	✓	Manager, Contract Management Office
Required Regional Distribution		
The internal distribution list for each region will be determined by the Regional Director or designate.		
Required External Distribution		
Report	Letter of Transmittal / Covering Memo	Recipient
✓	✓	Appropriate MOEE regional office(s)
(✓)	(✓)	Appropriate MOEE district office(s) (where deemed to be of value or necessary)
(✓)	(✓)	MOEE - EA Branch (see criteria below*)
✓	✓	Legislative Library, Queen's Park
✓	✓	- Technical Services & Systems, Room 2330
✓	✓	- Checklist & Catalogue Service, Room 2340

- * • cases where a "bump-up" request has been made or is expected to be made;
 • unusual or controversial projects which may require special attention; and,
 • where a direct request has been made by MOEE.



GRAPHIC SERVICES
REQUISITION FOR REPRODUCTION

T- 42122

DATE PREPARED	?
---------------	---

DATE REQUIRED	Allow 2 weeks from preparation date
---------------	-------------------------------------

LOCATION CODE AND COST CENTRE NO.	?	DELIVER TO	?	AUTHORIZED SIGNATURE	?		
OFFICE NAME	Planning and Design			TITLE	?		
LOCATION	? Region			DIRECT INQUIRIES TO (PLEASE PRINT)			
ADDRESS	?			PICK UP MAIL	OTHER, PLEASE SPECIFY	TELEPHONE	?

REPRODUCTION OFFSET

NO. OF ORIGINALS ?	NO. OF COPIES PER ORIGINAL ?	DESCRIPTION OR FORM TITLE AND NUMBER ESR W.P. ?				
SIZE 8½ X 11	TO BE PRINTED	<input checked="" type="checkbox"/> ONE SIDE	<input checked="" type="checkbox"/> TWO SIDES *	PAPER COLOUR Covers - Grey Crystal		
COLLATE Yes	STAPLE (NO. OF STAPLES AND LOCATION)	DRILL (NO. OF HOLES AND LOCATION)				
PAD LOCATION RIGHT	LEFT	TOP	<input checked="" type="checkbox"/> CERLOX	<input type="checkbox"/> PUNCH ONLY	<input checked="" type="checkbox"/> PUNCH AND BIND	COLOUR AND LOCATION
ADDITIONAL INSTRUCTIONS: <i>or Perfect Binding</i>						

* Single-sided pages are marked "S" on reverse side + flagged w/yellow tag

- Print covers using Cover Art supplied

REPROGRAPHIC CENTRE

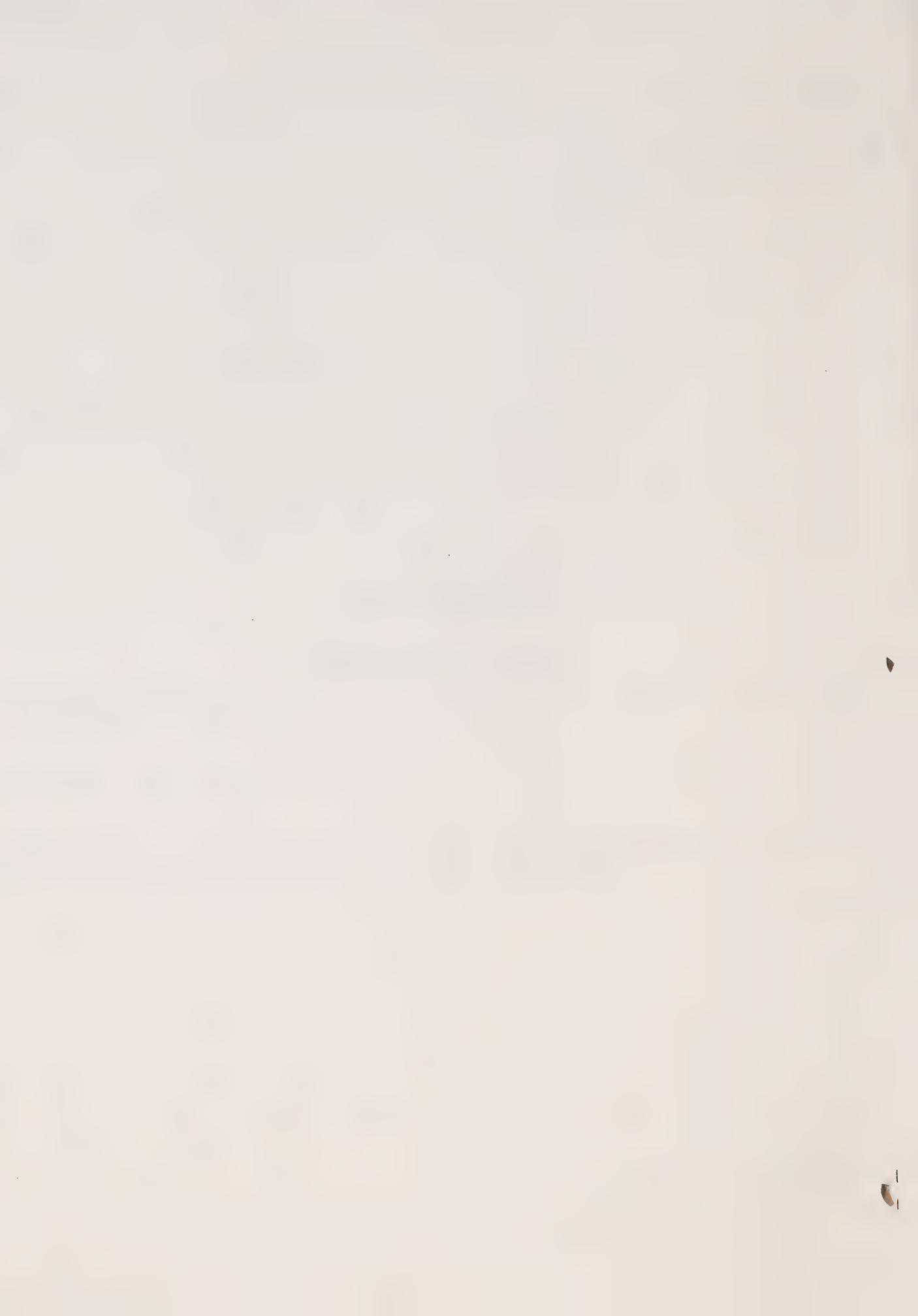
NO. OF ORIGINALS	NO. OF COPIES PER ORIGINAL	DESCRIPTION OR FORM TITLE AND NUMBER
------------------	----------------------------	--------------------------------------

ADDITIONAL INSTRUCTIONS:

FOR GRAPHIC SERV USE ONLY

APPENDIX N

Other Documentation



APPENDIX N - OTHER DOCUMENTATION

This appendix provides information regarding the following documents and / or reports:

- Justification Report (Section 1.0)
- Environmental Assessment Proposal (Section 2.0)
- Project Appraisal Report (Section 3.0)
- Planning Report (Section 4.0)
- Preliminary Design Report (Section 5.0)
- Design Criteria (Section 6.0)
- Summary of Environmental Concerns and Commitments (Section 7.0)
- Environmental Synopsis (Section 8.0)
- Field Site Visit Report (Section 9.0)

Where appropriate, the regions may wish to add and / or insert pertinent regional-specific information and examples.

1.0 JUSTIFICATION REPORT

The Justification Report is discussed in Section 2.1.1. Its preparation is mandatory and report format and content are mandatory as outlined in Provincial Highways Directive B-125.

The following wording is suggested when identifying the preliminary EA classification:

"This project is classified as a Group "X" under the MTO Provincial Highways Class EA (1992). The EA classification is preliminary only and may be subject to change should environmental conditions and / or the scope change.

[if known, identify type of documentation likely required]

An Environmental Study Report is normally prepared for Group "B" projects. Consideration may be given, however, to the applicability of the reduced documentation option.

or

As a Group "C" project, this project is approved under the EA Act subject to screening for environmental effects. The screening process is used to identify and address potential environmental effects, appropriate contacts and mitigating measures.

Based on available information, the following environmental constraints have been identified:

[identify environmental constraints]

2.0 ENVIRONMENTAL ASSESSMENT PROPOSAL

In the Class EA Process Manual, Environmental Assessment Proposals (EAPs) are discussed in Section 3.3.2.2.

The Ministry of the Environment and Energy (MOEE) published the "Guideline for Preparing Environmental Assessment Proposals" in May 1992. The intention of that document is to assist proponents in the preparation of EAPs to both solicit public and agency comment on a planning process which a proponent proposes to follow for a project, and to provide a well considered framework for meeting subsection 5(3) of the Environmental Assessment Act (EA Act).

EAPs are not currently required by the EA Act, but are supported by MOEE as a practical tool for contributing to effective environmental planning under the EA Act. They are recommended by MOEE to be prepared early in a proponent's project planning. The MOEE's intention is that proponents prepare EAPs for individual environmental assessments (MTO Group "A" undertakings). However, there may be benefits to be derived from preparing EAPs for very complex or controversial Group "B" projects (not Group "C" or "D" projects), that is, Group "B" projects approaching the complexity or potential controversy, normally associated only with Group "A" undertakings. Further, in cases where in the early stages of planning there appears to be a high potential for a Group "B" undertaking to be "bumped-up" to an individual EA, the preparation of an EAP would be advisable.

MOEE states in the above document that,

"In an EAP, a proponent should:

- (1) describe the problem or opportunity being addressed;
- (2) delineate the proposed study area;
- (3) define screening criteria for identifying alternatives;
- (4) propose reasonable alternatives and list preliminary evaluation criteria to be used for choosing between alternatives;
- (5) describe any associated planning and decision-making related to the study of the problem or opportunity;
- (6) outline a public and agency consultation plan, including methods of consultation, opportunities to influence decision-making, a tentative schedule, and appropriate contacts;
- (7) include a listing of issues and concerns, and describe preliminary approaches for resolving concerns raised by the community and agencies;
- (8) indicate supporting studies that will be undertaken; and,

- (9) describe the extent of documentation that will be prepared for the planning process."

Further, MOEE also notes that the benefits of EAP preparation include:

- "(1) enabling proponents to receive early guidance from the Ministry of the Environment and Energy and government reviewers on the acceptability of their EA planning process with respect to the EA review and potential board hearing;
- (2) facilitating early consultation between interested parties by providing a mutual starting point for discussion;
- (3) providing the parameters of the EA study to interested parties early in the EA process so that input can be received by the proponent;
- (4) establishing a framework for proponents to focus their environmental assessment planning and documentation under the EA Act;
- (5) assisting in the early identification and resolution of problem/conflict areas; and,
- (6) enhancing cost effectiveness, reducing overall time requirements and delivering clarity to the EA process."

For Group "B" activities only, points 2-6 above would apply.

2.1 Public Notification

The public is provided with the opportunity to review the EAP and to provide comments.

If an EAP is prepared, (for example, for highly complex Group "B" projects), then notification of the EAP may be combined with the initial notice (see Appendix G for sample). Notification of the first public information centre would likely occur at a later date. Where an EAP is prepared, the desirability of holding a public information centre prior to identifying alternatives has to be weighed against past experience which has demonstrated that MTO may be subject to criticism if the public perceives that insufficient information is provided for their review. The determination of when to hold a public information centre is addressed on a project-specific basis.

Reference:

- "Guideline for Preparing Environmental Assessment Proposals", MOEE, May 1992

3.0 PROJECT APPRAISAL REPORT (PAR)

The Project Appraisal Report (PAR) is referred to in Section 3.3.4.1 of the manual. While report format and content are optional, they are discussed in Provincial Highways Directive B-98. If a Project Appraisal Report is prepared, the EA classification is identified and any new environmental issues are identified.

4.0 PLANNING REPORT

The Planning Report is referred to in Section 3.3.3.11 of the manual. Report format and content are optional. If a Planning Report is prepared, the details of the environmental factors and consultation process must be summarized in a thorough manner.

5.0 PRELIMINARY DESIGN REPORT

The Preliminary Design Report (PDR) is discussed in Section 3.3.4.14 of the manual. While its preparation is optional, report format and content are mandatory as outlined in Provincial Highways Directive B-99.

6.0 DESIGN CRITERIA

Design Criteria are discussed in Section 3.3.4.3 of the manual. The preparation of Design Criteria are mandatory and format and content are mandatory as outlined in Provincial Highways Directives B-33 and B-220. During the preparation of the Design Criteria the environmental planner ensures that the appropriate environmental information is included, for example, EA classification, major environmental issues / constraints and design parameters.

7.0 SUMMARY OF ENVIRONMENTAL CONCERNS AND COMMITMENTS

Tables summarizing environmental concerns and commitments are included in an ESR. For those projects for which an ESR is not prepared (i.e. projects subject to the reduced documentation option and Group "C" projects), these tables on their own provide a useful format for summarizing environmental issues for the purpose of documentation and for use by the project manager, project supervisor and the environmental planner. As well, where an ESR is prepared but submitted early in detail design, then the tables can be prepared at the completion of the project.

Two examples are provided:

- the first represents a typical summary table (an example is also included)
- the second provides less space for information regarding the environmental concern and replaces the "compliance verification" column with a column for "project supervisor's comments".

The regions may wish to insert a regional-specific table for reference purposes.

SUMMARY OF ENVIRONMENTAL CONCERN AND COMMITMENTS

ENVIRONMENTAL ISSUE / CONCERN / EFFECT				ENVIRONMENTAL COMMITMENTS			
I.D. #	DETAILS	EXPRESSED BY	I.D. #	DETAILS	DETAILS	COMPLIANCE VERIFICATION	

GROUP W.P.: _____
 HIGHWAY: _____
 LOCATION: _____

CONTRACT: _____
 DISTRICT: _____

REPORT DATE: _____

Table _____ of _____

SUMMARY OF ENVIRONMENTAL CONCERNs AND COMMITMENTS

ENVIRONMENTAL ISSUE / CONCERN / EFFECT				ENVIRONMENTAL COMMITMENTS		
I.D. #	DETAILS	EXPRESSED BY	I.D. #	DETAILS		COMPLIANCE VERIFICATION
1.	Topography	MTO	1.1	No commitments.		
2.	Soils (Erosion)	MTO	2.1	All unpaved graded areas to be treated with topsoil, seed and mulch.		
			2.2	Rip rap to be placed at culvert ends and storm sewer outlets.		
			2.3	Rock flow checks to be installed as required in ditches.		
			2.4	Silt fence to be installed as required.		
			2.5	Limit the time and area of exposed earth.		
3.	Fish and Wildlife	MTO	3.1	No significant fisheries exist within the project limits.		
4.	Vegetation	MTO	4.1	Impact on vegetation will be limited to ornamental trees in the highway right-of-way.		
5.	Water Quality	MTO MNR	5.1	Storm water management systems including channels, culverts and detention ponds are to be built as part of the project.		
6.	Heritage Resources	MTO	6.1	No heritage resources were identified in the Highway 400 corridor.		
7.	Archaeological Resources	MTO	7.1	No archaeological resources were identified in the Highway 400 corridor.		
8.	Noise	MTO	8.1	There are no noise sensitive areas affected therefore no mitigation measures are proposed.		

GROUP W.P.: 612-89-00
 HIGHWAY: 400

CONTRACT:
 LOCATION: From Highway 7, Northerly to North of Langstaff Road

DISTRICT: 6
 REPORT DATE: August 31, 1992

SAMPLE

SUMMARY OF ENVIRONMENTAL CONCERNS AND COMMITMENTS				
CONCERN		ENVIRONMENTAL COMMITMENTS		
ID#	EXPRESSED BY	ID #	DETAILS	PROJECT SUPERVISOR'S COMMENTS

GROUP W.P.: _____ CONTRACT: _____ DISTRICT: _____ REPORT DATE: _____

HIGHWAY: _____ LOCATION: _____ Table _____ of _____

8.0 ENVIRONMENTAL SYNOPSIS

An Environmental Synopsis may be prepared in addition to the Summary of Environmental Concerns and Commitments (see Section 7.0 of this appendix). It is usually prepared as a memo from the Regional Environmental Unit to the project manager and project supervisor and highlights the environmental considerations.

Typically it provides:

- the EA category of the project
- status of the ESR or RDL
- list of major environmental issues and related Standard and Non-Standard Special Provisions

A sample is included.

9.0 FIELD SITE VISIT REPORT

A generic form developed by the Environmental Office is provided. Each region may wish to insert a regional-specific form into the manual.

memorandum

SAMPLE.



To: Al Devolin,
Project Manager,
Planning & Design Section,
NORTHERN REGION.

Date: September 22, 1992
(705) 497-5466

Maurice Maltais,
Senior Construction Supervisor,
TIMMINS.

FROM: Engineering and Right-of-Way Office,
Environmental Unit,
Planning and Design Section,
NORTHERN REGION.

RE: ENVIRONMENTAL SYNOPSIS,
CONTRACT 92-450,
HIGHWAY 560 - FROM 8.9 KM EAST OF
SHINING TREE, EASTERLY FOR 12.3 KM,
DISTRICT 14, NEW LISKEARD.

This project is categorized as Ba/Bc work under the M.T.O. Environmental Assessment Class Documents. Environmental Study Reports were issued and submitted to the Ministry of the Environment on September 20, 1990 for the grading work and November 15, 1991 for the West Montreal River crossing. This contract has met all the requirements under the E.A. Act.

Listed below are the major environmental issues and related Non-Standard and Standard Special Provisions.

- Water quality and timing constraints at the West Montreal River, Houston Lake and Shining Tree Creek.
- Erosion control at specific identified cuts/fills and any additional locations.
- Pre-clearing and erosion control of push-out locations.
- SP 101S02 Archaeological Finds (Pg. 5)
 - Archaeological salvage complete.
 - Interim reports from Settlement Surveys and 'Conditional Approval' from the Ministry of Culture and Communications attached.
 - Final report available April '93.
- SP 199S11 Spills Reporting (Pg. 62)
- SP 199S30 Management and Disposal of Excess Material (Pg. 63)

SAMPLE

- SP 199S32 WHMIS (Pg. 63)
- SP 199F34 Identification of Local MOE Office (Pg. 63)
- Item #5 (Pg. 75) Rock Excavation (Grading)
 - Enhancement of fisheries habitat.
- Item #36 (Pg. 97) Straw Bale Flow Checks
- Topsoil, Seeding and Mulching, Rip-Rap, and Rock Protection.



Tim Rogers,
Environmental Planner.

TR/11

cc R. Mantha - Construction Office

FIELD SITE VISIT REPORT - PART I, GENERAL
For Inclusion in Project File
(Copy to Environmental Office) S

of _____

SITE VISIT #

PROJECT DESCRIPTION

DATE: _____

WP. # _____

HWY #:

Project Env. Planner:

Contract #: _____

District #:

Project Supervisor: _____
Report Filed By : _____

Location: [REDACTED]

Type of Work and Stage of Construction: _____

DISCUSSED with Project Supervisor (Y N) Photos Taken (Y N)

<u>MITIGATION MEASURES (In Contract)</u>	<u>IN PLACE</u>	<u>EFFECTIVE</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

GENERAL OBSERVATIONS

(Note Observations on Mitigation Measures listed above, the site and construction practices in general. Complete Part II on reverse of sheet for each Mitigation Measure that is not functioning as intended.

FIELD SITE VISIT REPORT - PART II

 of (One Part II form is to be completed for every Mitigation Measure that is found to have an effectiveness problem)
(Copy to Environmental Office)PROJECT DESCRIPTION

DATE: _____

WP. # _____

Contract #: _____

MITIGATION

Measure : _____

Location : _____

Nature of the Problem: _____

_____Cause of Problem: _____

_____Action Taken: _____

_____Recommended Action: _____

_____Distribution: Area Construction Engineer
Design Project Manager
Environmental OfficeProject Supervisor
Supervisor, Environmental Unit

APPENDIX O

MTO Responsibility for Compliance with Environmental Legislation on Projects with Tendered Contracts

APPENDIX O - MTO RESPONSIBILITY FOR COMPLIANCE WITH ENVIRONMENTAL LEGISLATION ON PROJECTS WITH TENDERED CONTRACTS

MTO Responsibility for Compliance with Environmental Legislation on Projects with Tendered Contracts

MTO has legal responsibilities imposed by the following:

- statutory requirements under environmental legislation (e.g. Environmental Protection Act) and regulations that have arisen from them (e.g. Regulation 309);
- conditions of exemption and/or approval provided under environmental legislation and regulations;
- administrative agreements negotiated with statutory authorities which modify and/or clarify the foregoing.

These responsibilities extend to any material, work method or technological approach available to be used by the contractor to obtain the "end result" specified in MTO contracts, unless that material, work method or technological approach is prohibited by the contract (e.g. MTO may prohibit a technology with significant environmental problems).

Since these responsibilities cannot be superseded or transferred by a contract, it is incumbent upon MTO to ensure that its contracts provide sufficient detail for the following:

- the contractor to perform the work in a manner that meets these requirements;
- MTO to be in the position of administering the contract rather than the legislative requirements;
- MTO to show "due diligence" in the event of statutory / regulatory violations by the contractor.

MTO responsibilities vary with the project approach and the type of environmental requirement. These responsibilities are outlined in Exhibit O-1.

SUMMARY OF MTO RESPONSIBILITY FOR COMPLIANCE WITH ENVIRONMENTAL STANDARDS, PERMITS, APPROVALS AND EXEMPTIONS ON PROJECTS WITH TENDERED CONTRACTS

MTO Contract Requirement Relative to Environmental Statute	Variations on each MTO Contract Requirement Relative to Environmental Statute	MTO Project Design Responsibilities	MTO Contract Document Responsibilities	MTO Contract Administration Responsibilities
1. MTO CONTRACT SPECIFIES WORK FOR WHICH A RANGE OF MATERIALS, WORK METHODS OR TECHNOLOGICAL APPROACHES ARE AVAILABLE AND OPERATIONALLY PRACTICAL	<p>1.1 Materials, methods, or approaches which are known to be unacceptable relative to environmental regulatory requirements.</p> <p>1.2 Materials, methods, or approaches which are acceptable relative to environmental regulatory requirements.</p>	<p>Prohibit contractor use of unacceptable materials, methods, or approaches.</p> <p>Sections 2, 3 and 4 apply.</p>	<p>Verify contractor compliance with prohibition on use of unacceptable materials, methods, or approaches.</p> <p>Sections 2, 3 and 4 apply.</p>	
2. MTO CONTRACT SPECIFIES WORK FOR WHICH PROJECT-SPECIFIC OR SITE-SPECIFIC TYPES OF ENVIRONMENTAL PERMITS, APPROVALS, OR EXEMPTIONS ARE REQUIRED	<p>2.1 Project/site-specific permits are required for:</p> <ul style="list-style-type: none"> (a) ANY out of a range of acceptable materials; (b) All work methods or technological approaches available. <p>2.2 Project/site-specific permits are required from SOME out of a range of acceptable work methods or approach that requires permits, approvals, or exemptions).</p>	<p>Obtain the required permits, approvals or exemptions.</p>	<p>Require contractor compliance with conditions of permits, approvals, or exemptions that are obtained by MTO (conditions detailed in contract).</p>	<p>(a) Verify contractor has obtained required permits, approvals, exemptions.</p> <p>(b) No MTO responsibility to verify contractor compliance with permits, approvals, or exemptions obtained by contractor.</p>
3. MTO CONTRACT SPECIFIES WORK FOR WHICH ANY OUT OF A RANGE OF ACCEPTABLE WORK METHODS OR TECHNOLOGICAL APPROACHES REQUIRE "BUSINESS OVERHEAD" TYPES OF ENVIRONMENTAL PERMITS, APPROVALS, OR EXEMPTIONS ARE REQUIRED.	<p>3.1 Legislation DOES make MTO responsible for ensuring that the contractor has "overhead" permits, approvals, or exemptions.</p> <p>3.2 Legislation does NOT make MTO responsible for ensuring that the contractor has "overhead" permits, approvals, or exemptions.</p>	<p>No MTO project design responsibility (only contractors can apply for their own "overhead" permits, approvals, or exemptions).</p>	<p>Require contractors to have permits, approvals, or exemptions associated with their selected work method or approach.</p> <p>No MTO responsibility to verify applicable "overhead" permits, approvals, or exemptions.</p>	<p>(a) Verify contractor has obtained required permits, approvals, exemptions.</p> <p>(b) No MTO responsibility to verify contractor compliance with permits, approvals, or exemptions obtained by contractor.</p>
4. MTO CONTRACT SPECIFIES WORK FOR WHICH ENVIRONMENTAL REQUIREMENTS RATHER THAN NORMAL ENVIRONMENTAL PERMITS, APPROVALS, OR EXEMPTIONS APPLY	<p>4.1 Objectives apply to</p> <ul style="list-style-type: none"> (a) ANY out of a range of acceptable materials; (b) All work methods or technological approaches available. <p>4.2 Standards apply to SOME out of a range of acceptable work methods or technological approaches.</p>	<p>Project design will comply with environmental requirements</p>	<p>Indirectly detail requirements as reflected in project design.</p>	<p>No MTO contract document responsibility (contractors' responsibility if they select a work method or approach to which standards apply).</p>
				<p>No MTO contract administration responsibility (contractors' responsibility if they select a work method or approach to which standards apply).</p>

This summary is based on the assumption that the contractor is not an agent of the Ministry. This is consistent with the position taken by the Ministry on other issues such as "constructor" responsibilities under the Occupational Health and Safety Act. Based on this assumption, the following apply:

- MTO is not responsible for ensuring contractor compliance with environmental statute that does not directly apply to the contract, except where MTO has responsibilities directly specified to apply to an owner or contracting authority (e.g. as the generator of waste materials from structure removal);
- The contractor's operations generally do not share the environmental statutory exemptions that apply only to the Provincial government. There are certain exceptions such as the contractor's direct implementation of an MTO design for which legislation is not binding on the Crown. In these cases, permits and approvals do not apply.

Where environmental legislation does not bind the Crown, the EA process outlined in the parent Class EA document ensures that the intent of such legislation is met.

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APPENDIX P

Group "C" Screening

Typical Questions

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APPENDIX P - GROUP "C" SCREENING - TYPICAL QUESTIONS

The Group "C" screening included in the parent Class EA is shown in Exhibit 11 of Chapter 4.0 of the manual. While this provides the basic process, it can be supplemented with more specific questions regarding the project and its potential effects.

At the time of writing, a list of typical questions was not available. However, some regions have developed questions for their own use which could be inserted here.

It should be noted that while formal documentation of the screening process is not required, it is desirable for the environmental planner to document it, usually by a memo to file.



APPENDIX Q

Group "D" Activities

Policies and Procedures

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APPENDIX Q - GROUP "D" ACTIVITIES - POLICIES AND PROCEDURES

1.0 MTO EXCESS MATERIALS MANAGEMENT POLICY

Current

- MTO Special Provision 199S30 - "Management and Disposal of Excess Material"
- MTO Special Provision 199F04 - "Restrictions on Open Burning"
- 1988 MTO/MOEE Interministerial Protocol - "Management of Surplus/Waste Materials Generated from Road Maintenance and Construction"
- MTO Special Provision 911S05 - "Management of Spent Blasting Medium and Disposal of Removed Coating Material and Spent Blasting Medium"
- EO Bulletin G1 - "Transportation, Storage and Disposal of Catch Basin Cleanout Material"
- EO Bulletin G4 - "Transportation, Storage and Disposal of Roadsweeping Material"

Proposed

- Ontario Provincial Standard 180 - "General Specification for the Management and Disposal of Excess Material"
- 1993 MTO/MOEE Agreement on the Management of Excess Materials Generated from Road Construction and Maintenance (clarification of the 1988 agreement)
- MTO Design Guidelines for Excess Materials Generated from Road Construction and Maintenance

2.0 MTO WASTE MANAGEMENT POLICY/PROCEDURES

- "MTO Generator Registration Report", in compliance with Regulation 347, is required prior to disposal of any hazardous or liquid waste to a certified site. A report is submitted for each hazardous or liquid waste generated by MTO.

- MTO Directive PHY B-239 - "Storage of Hazardous and Liquid Industrial Wastes Generated at Permanent MTO Facilities", in compliance with EPA, Reg. 347 and other related legislation, outlines policy and procedures for the safe storage of Ministry waste at MTO patrol, district, regional and head office stationary facilities.
- "MTO Certificate of Approval for a Waste Management System", in compliance with EPA Part V, permits the transportation of all hazardous, liquid, non-hazardous and spilled/abandoned waste materials generated by MTO or handled by MTO, subject to conditions of approval.
- "MTO Driver Training Manual", in conjunction with Regulation 347 and the MTO Certificate of Approval for Waste Management System, provides the text of a detailed training course which is mandatory for all drivers of hazardous and liquid industrial waste.
- "MTO Directive QST B-19 - Disposal and Management of Hazardous and Liquid Industrial Waste Generated by MTO Operations" is a comprehensive statement of all policy and procedures for the Ministry's hazardous and liquid industrial waste management program.
- "MTO TDGA Training Manual" provides the legislative background and staff instructions required for TDGA compliance by MTO staff.
- MTO Special Provision 199 F40 - "Classification of Subject Waste" is a tool for management of construction generated waste subject to Reg. 347.

3.0 MTO EMERGENCY RESPONSE POLICY AND PROCEDURES

Current

- EO Bulletin I-1 - "Patrol Response to Non-MTO Spills"

Proposed

- MTO QST Directive, "Notification Responsibilities for Spills and Dangerous Occurrences" (MTO and Non-MTO Incidents)"
- EO Bulletin, "Staff Response to MTO Spills" (Containment, clean-up and personal protective equipment guidelines)
- Spill Response Manual

4.0 MTO AGGREGATES POLICY AND PROCEDURES

Current

- MTO Directive QST B-14, "Procedures for Handling Wayside Pits and Quarries on MTO Projects"
- EO Bulletin 01, "Method of Addressing the Environmental Impacts Associated with MTO Aggregate Activities"

Proposed

- Strategy for Assessing Archaeological Sites and MTO Aggregate Sources

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APPENDIX R

Environmental Considerations and Typical Mitigation

(Note: The charts in this appendix were prepared in 1991 for the Class EA and have not been updated to reflect subsequent changes, for example, names of ministries, etc.)

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APPENDIX R - ENVIRONMENTAL CONSIDERATIONS AND TYPICAL MITIGATION

Environmental assessment under the EA Act must consider not only the natural but the social, economic and cultural environment in an evaluation of the predicted impacts on the environment. For natural environmental components, there are a number of Provincial and Federal statutes and policy that require a proponent to ensure that a specific resource is not degraded or destroyed or that impacts are minimized. There are fewer statutes and/or policy that provide the same protection or consideration for social, economic or cultural resources.

MTO assesses and evaluates impacts on all aspects of the environment as appropriate for any specific project and associated study area. The charts in this appendix have been prepared for those specific environmental components for which there is a large amount of guidance on assessment through legislative requirements, policy directions and internal (MTO) documents.

For many of the social, economic and cultural components that are not guided by legislation and policy, those components are assessed on a project specific basis as appropriate with guidance from mandated agencies and the public.

Environmentally sensitive areas (see definition in Appendix U) could be included in the assessment of any of the environmental components.

The charts are developed for the following:

Natural environment

- 1) fisheries and aquatic biota
- 2) wetlands
- 3) vegetation
- 4) wildlife
- 5) surface water
- 6) ground water
- 7) soils
- 8) air
- 9) stormwater

Social environment and economic environment

- 10) social and economic
- 11) noise
- 12) land use

- 13) agriculture
- 14) contaminated property

Cultural environment

- 15) archaeology
- 16) historical resources

The charts summarize:

- the guiding provincial and/or federal legislation and/or policies that the Ministry uses in the assessment of the effects of a proposed project on the environment;
- the government agencies with prime responsibility for the above;
- the guiding principles that the Ministry uses in evaluating the environmental component;
- the associated internal (MTO) documents that reflect the legislation and policies (policy, manuals, guidelines or contract specifications); and,
- typical mitigating measures that have been used on previous projects.

The charts, which are also included in the parent Class EA document, have been included in the manual since they provide input to the scoping of issues and / or effects, the various screening mechanisms that have been identified, the analysis and evaluation of effects and the determination of mitigating measures.

LEGISLATION AND / OR POLICY INFLUENCING ASSESSMENT

Certain environmental legislation is binding on all Crown agencies. That is, MTO must comply with all requirements of the legislation. Although MTO does not have to meet the requirements of non binding environmental legislation, MTO acknowledges and incorporates the intent and objectives of the legislation in project planning, design and implementation but may not necessarily comply with administrative requirements.

The assessment of all environmental components is guided by a need to comply with the EA Act. Many of the natural environmental components are also guided by various other Acts.

The charts show all binding environmental legislation related to a particular environmental component as well as certain nonbinding pieces of legislation that are recognized as being important in the assessment of environmental components. There are numerous permits, approvals, and authorizations that are required under various environmental legislation. The charts in this appendix do not list these requirements.

CHART 1
ENVIRONMENTAL COMPONENT
"FISHERIES AND AQUATIC BIOTA"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Federal Fisheries Act • DFO Policy for the Management of Fish Habitat • Strategic Policy for Ontario Fisheries (SPOF II) • Committee on the Status of Endangered Wildlife in Canada (COSEWIC) • Conservation Authorities Act
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Department of Fisheries and Oceans • Ministry of Natural Resources • Environment Canada • Conservation Authorities
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • No harmful alteration of fish habitats • Net gain of fish habitat where possible

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> • Contract requirements: <ul style="list-style-type: none"> - erosion and sedimentation control - fish protection timing constraints • Environmental Office Reference Book on Fisheries • MTO Drainage Manual: <ul style="list-style-type: none"> - Hydraulic Design of Culverts • Interpretive Bulletins: <ul style="list-style-type: none"> - Requirements under the Federal Fisheries Act - Spread of Zebra Mussels
DEVELOPING	<ul style="list-style-type: none"> • Inter Ministerial Fisheries Protocol • Revision to MTO Drainage Manual (Hydraulic Design of Channels) (includes fish habitat) • Contract requirements
PROPOSED	<ul style="list-style-type: none"> • Environmental Office Manual on impact prediction and mitigation for fisheries • Monitoring program

EXAMPLES OF TYPICAL MITIGATING MEASURE FOR "FISHERIES AND AQUATIC RESOURCES"	
EFFECT	MITIGATING MEASURE
◆ Sedimentation in water bodies from work near or within stream	<ul style="list-style-type: none"> • See "Soils", chart 7.
◆ Stream bank erosion	"
◆ Instream work resulting in sedimentation	"
◆ Water temperature changes (especially increases)	"
◆ Habitat loss through construction	<ul style="list-style-type: none"> • Replacement and/or enhancement of habitat

CHART 2
ENVIRONMENTAL COMPONENT
"WETLANDS"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Endangered Species Act • Federal Fisheries Act • Committee on the Status of Endangered Wildlife in Canada (COSEWIC) • Conservation Authorities Act • Planning Act (Wetlands Planning Policy Statement)
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Natural Resources • Department of Fisheries and Oceans • Environment Canada <ul style="list-style-type: none"> - Canadian Parks Service - Canadian Wildlife Service • Conservation Authorities
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize adverse environmental impacts on wetlands

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Contract requirements: <ul style="list-style-type: none"> - protection of environmentally sensitive areas
DEVELOPING	<ul style="list-style-type: none"> • No MTO documents
PROPOSED	<ul style="list-style-type: none"> • Develop a protocol with Ministry of Natural Resources • Develop a technical manual to guide impact assessment and mitigation

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "WETLANDS"

EFFECT	MITIGATING MEASURE
◆ Restriction of ground water flow	<ul style="list-style-type: none"> • Use of granular material and fill
◆ Restriction of existing water flow	<ul style="list-style-type: none"> • Equalization culverts
◆ Stream bank erosion and sedimentation	<ul style="list-style-type: none"> • See "Soils", chart 7. • Vegetative stream bank stabilization techniques

CHART 3
ENVIRONMENTAL COMPONENT
"VEGETATION"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Endangered Species Act • Woodland Improvement Act • Crown Timber Act • Ontario Heritage Act • Provincial Parks Act • National Parks Act • Committee on the Status of Endangered Wildlife in Canada (COSEWIC)
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Natural Resources • Ministry of Culture and Communications • Environment Canada
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Protect rare and endangered species, • Minimize impacts to woodlands and natural heritage areas • Protect significant vegetative features, where possible • Improve highway aesthetics with landscaping

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Directives: <ul style="list-style-type: none"> - Landscape development - Seeding and mulching • Contract requirements: <ul style="list-style-type: none"> - tree protection - seeding and erosion control blanket - clearing, grubbing, and close cutting - protection of environmentally sensitive areas • Guidelines: <ul style="list-style-type: none"> - Tree Preservation (operating draft)
DEVELOPING	<ul style="list-style-type: none"> • No MTO documents currently under preparation
PROPOSED	<ul style="list-style-type: none"> • Comprehensive Ministry policy on vegetation management

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "VEGETATION"

EFFECT	MITIGATING MEASURE
♦ Loss of or damage to sensitive species/communities during construction	<ul style="list-style-type: none"> • Fence sensitive areas
♦ Loss of ability of vegetation to regenerate	<ul style="list-style-type: none"> • Retain as much significant vegetation as possible • Use close cut clearing rather than grubbing
♦ Loss of or damage to vegetation due to water impoundment and sedimentation	<ul style="list-style-type: none"> • No specific measures; general contract prohibition

CHART 4
ENVIRONMENTAL COMPONENT
"WILDLIFE"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Canada Wildlife Act • Migratory Birds Convention Act • Endangered Species Act • Committee on the Status of Endangered Wildlife in Canada (COSEWIC)
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Natural Resources • Environment Canada - Canadian Wildlife Service
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Protect significant wildlife and/or habitat • Minimize adverse impacts on wildlife

MTO GUIDING DOCUMENTS

- MTO documents have not been prepared

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "WILDLIFE"

EFFECTS	MITIGATING MEASURE
♦ Wildlife/vehicle accident	<ul style="list-style-type: none"> • Signage to increase awareness of drivers
♦ Loss/fragmentation of habitat	<ul style="list-style-type: none"> • Mitigating measures for effects on Wildlife developed on a project specific basis
♦ Interruption of migratory routes	

CHART 5
ENVIRONMENTAL COMPONENT
"SURFACE WATER"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Federal Fisheries Act • Navigable Waters Protection Act • Environmental Protection Act • Ontario Water Resources Act (OWRA) • "Water Management" (Blue Book) • Drainage Act • Conservation Authorities Act • Great Lakes Water Quality Agreement
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Department of Fisheries and Oceans • Ministry of Natural Resources • Transport Canada • Ministry of the Environment • Ministry of Agriculture and Food • Conservation Authorities • Environment Canada
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize effects on surface water • Minimize flooding / erosion

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> • MTO Drainage Manual • MTO Structural Planning Guidelines • Directives: <ul style="list-style-type: none"> - MTO Design Flood Criteria - Drainage Act - MTO Policy and Procedures • Winter Maintenance Quality Standards and Operating Instructions • Environmental Reference Book (ERB) - "Surface Water" (Draft) • Contract requirements: <ul style="list-style-type: none"> - watercourse protection - environmental protection during structural steel rehabilitation - dewatering operations: receiving water protection
DEVELOPING	<ul style="list-style-type: none"> • Policy on OWRA Permits, Licences and Approvals
PROPOSED	<ul style="list-style-type: none"> • Operational Requirements for specific activities affecting surface water • OWRA Directive • Revise ERB "Surface Water"

SURFACE WATER cont'd next page

**EXAMPLES OF TYPICAL MITIGATING MEASURES FOR
"SURFACE WATER"**

EFFECT	MITIGATING MEASURE
◆ Sedimentation of receiving water	<ul style="list-style-type: none"> • See "Soils", chart 7
◆ Contamination of receiving waters	<ul style="list-style-type: none"> • Restriction of equipment from entry into water bodies • Equipment refuelling setbacks from water bodies • Stockpile setbacks from water bodies • Application of salt in accordance with MTO standards and MOE guidelines • Use of enclosures on structural rehabilitation work
◆ Restriction on flows	<ul style="list-style-type: none"> • Stream improvements and rehabilitation • Removal of constrictions • Increase culvert size

CHART 6
ENVIRONMENTAL COMPONENT
"GROUND WATER"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Environmental Protection Act • Ontario Water Resources Act (OWRA) • "Water Management" (Blue Book)
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Environment • Ministry of Health • Local Public Health Agencies
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize effects on ground water quality and quantity

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> • Directives: <ul style="list-style-type: none"> - Well Water Impairment: Advice To Residents - Patrol Yard Maintenance Practices to Reduce Salt Migration. • Winter Maintenance Quality Standards and Operating Instructions • Ministry Water Well Claims Policy • Environmental Office Reference Book (ERB) - "Ground Water" • Contract requirements: <ul style="list-style-type: none"> - plugging and filling wells: environmental protection
DEVELOPING	<ul style="list-style-type: none"> • Policy on OWRA Permits, Licences and Approvals
PROPOSED	<ul style="list-style-type: none"> • Operational requirements for specific activities affecting ground water • OWRA Directive • Revised ERB "Ground Water"

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "GROUND WATER"	
EFFECT	MITIGATING MEASURE
◆ Ground water flow interference	<ul style="list-style-type: none"> • Reduce depth of cuts in areas of shallow ground water
◆ Migration of contaminants to ground water	<ul style="list-style-type: none"> • Good management practices when handling, applying and storing salt and sand at patrol yards • Good management practices for the establishment and abandonment of wells • Equipment refuelling restrictions
◆ Temporary interference with the quality and/or quantity of water supply due to MTO activity	<ul style="list-style-type: none"> • Temporary provision of water supply

CHART 7
ENVIRONMENTAL COMPONENT
"SOILS"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Fisheries Act • Topsoil Preservation Act • Conservation Authorities Act
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Natural Resources • Ministry of the Environment • Ministry of Agriculture and Food • Department of Fisheries and Oceans • Conservation Authorities
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Prevention of erosion and control of sedimentation • Conservation and reuse of topsoil

MTO GUIDING DOCUMENTS*

EXISTING	<ul style="list-style-type: none"> • Directive: <ul style="list-style-type: none"> - Topsoil Conservation • MTO Drainage Manual (Erosion and Sediment Control)
DEVELOPING	<ul style="list-style-type: none"> • Review and update current policy and procedures for erosion and sediment control
PROPOSED	<ul style="list-style-type: none"> • Planning, design, construction, operation, maintenance, monitoring procedures

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "SOILS"

EFFECT	MITIGATING MEASURE
◆ Sediment transport from land to receiving water	<ul style="list-style-type: none"> • Barriers: <ul style="list-style-type: none"> - straw bale - silt fence - sand bag • Seed and mulch • Sod • Erosion control blanket • Preserve existing vegetation • Maintain or provide buffer strips • Sediment traps • Interceptor ditches
◆ Sedimentation in water bodies from work near or within stream	<ul style="list-style-type: none"> • Cofferdams, caissons, silt curtains in water body
◆ Sheet/channel erosion resulting in rills, gullies	<ul style="list-style-type: none"> • Flow checks: <ul style="list-style-type: none"> - straw bale - sand bags - rock
◆ Loss of topsoil resource	<ul style="list-style-type: none"> • Stockpile during construction and reuse

* refer to "Fisheries and Aquatic Biota" and "Surface Water" charts for additional documentation

CHART 8
ENVIRONMENTAL COMPONENT
"AIR"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> Environmental Protection Act (Reg. 308)
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> Ministry of Environment Ministry of Health
GUIDING PRINCIPLES	<ul style="list-style-type: none"> Minimize release of emissions during facility construction, operation and maintenance

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> Contract specifications: <ul style="list-style-type: none"> - coating structural steel
DEVELOPING*	<ul style="list-style-type: none"> No documents are currently being prepared
PROPOSED	<ul style="list-style-type: none"> Development of policies/guidelines in compliance with proposed Provincial air quality initiatives

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "AIR"	
EFFECT	MITIGATING MEASURE
♦ The release of contaminants into the air by MTO vehicles	<ul style="list-style-type: none"> Maintain MTO vehicles in good repair Minimize unnecessary idling of MTO vehicles
♦ Production of dust during construction	<ul style="list-style-type: none"> The application of water/calcium chloride on construction sites and gravel roads The use of erosion control measures

* MTO is involved in ongoing discussions with other agencies on global warming and air quality issues

CHART 9
ENVIRONMENTAL COMPONENT
"STORMWATER"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • See chart 5, "Surface Water"
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • See chart 5, "Surface Water"
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize effects on receiving water • Minimize flooding / erosion

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> • Directives: <ul style="list-style-type: none"> - MTO Drainage Management - Policy and Practice - Private Piped Drainage Outlets on the Highway Right of Way • MTO Drainage Manual
DEVELOPING	<ul style="list-style-type: none"> • Interim stormwater quality and policy pilot projects • Best management practices data base
PROPOSED	<ul style="list-style-type: none"> • Ministry stormwater quality management policy • Stormwater quality management planning, design, construction, operation, maintenance, monitoring procedures

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "STORMWATER"	
EFFECT	MITIGATING MEASURES
◆ Potential effects on quality of receiving water	<ul style="list-style-type: none"> • Pilot projects to evaluate feasibility of stormwater treatment for MTO Facilities
◆ Flooding	<ul style="list-style-type: none"> • Detention / storage • Improved flow • Removal of constrictions

CHART 10
ENVIRONMENTAL COMPONENT
"SOCIAL AND ECONOMIC"*

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> Various legislation and policies that indirectly influence the assessment of social and economic components
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> Any Ministries, municipalities or other agency that would be consulted on social and economic impacts, for example: <ul style="list-style-type: none"> - Ministry of Health - Ministry of Northern Development and Mines - Ministry of Municipal Affairs - Ministry of Tourism and Recreation - Ministry of Industry, Trade and Technology - affected regional or local municipalities
GUIDING PRINCIPLES	<ul style="list-style-type: none"> Ensure that the social and economic advantages and disadvantages of projects on communities are identified Ensure that the final project reflects the evaluation of all environmental advantages and disadvantages and represents the best alternative

MTO GUIDING DOCUMENTS

MTO has not developed documents for social and economic assessment, however, approaches are developed on a project specific basis

TYPICAL MITIGATING MEASURES FOR "SOCIAL AND ECONOMIC"	
EFFECT	MITIGATING MEASURE
♦ Perceived loss of business (commercial/industrial) due to road realignment	<ul style="list-style-type: none"> Provide signs on the highway to direct potential customers Site highway project or improvements to ensure minimum loss of business Compensate for business losses

* for other Social and Economic environmental components see charts on Noise, Land Use, Agriculture and Contaminated Property

CHART 11
ENVIRONMENTAL COMPONENT
"NOISE"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Environmental Protection Act • Municipal By-laws
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Environment • Municipality
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize noise effects from the construction and operation of highways and highway facilities

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Noise Protocol • Noise Manual • Directives: <ul style="list-style-type: none"> - Noise Policy and Acoustic Standards for Provincial Highways - Noise Assessment and Abatement Program • Contract requirements: <ul style="list-style-type: none"> - noise control during construction for noise sensitive areas
DEVELOPING	<ul style="list-style-type: none"> • Revised Noise Manual • Revised Directives
PROPOSED	<ul style="list-style-type: none"> • Update of noise prediction model

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "NOISE"

EFFECT	MITIGATING MEASURE
◆ Noise from highway construction	<ul style="list-style-type: none"> • Restrict hours of operation • Maintenance of equipment in good working order • Provide distance setbacks
◆ Significant increase in noise from highway operation	<ul style="list-style-type: none"> • Construct noise barrier • Change vertical or horizontal alignment • Utilize open graded friction course pavement

CHART 12
ENVIRONMENTAL COMPONENT
"LAND USE"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Planning Act (statements of Provincial interest) • Niagara Escarpment Planning and Development Act • National Capital Act • Municipal Official Plans (including special policy areas) • Federal/Provincial land use plans (such as Niagara Escarpment Plan) • Provincial Parks Act • Provincial Park Management Plans • Conservation Authority Watershed Plans • MNR Land Use / Resource Guidelines
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Municipal Affairs • Municipalities • Federal and Provincial agencies responsible for land use plans (such as Niagara Escarpment Commission and National Capital Commission)
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize conflict with existing and proposed land use • Recognition of land use plans and incorporation of the associated objectives, policies and development criteria in highway projects carried out within land use planning areas • Compliance with the Niagara Escarpment Plan

MTO GUIDING DOCUMENTS

MTO has not developed documents specific to land use plans, however documents listed under other environmental components may be applied and relevant policies and plans will be used as a reference.

TYPICAL MITIGATING MEASURES FOR "LAND USE"

EFFECT	MITIGATING MEASURE
♦ Fragmentation of designated environmentally sensitive areas	<ul style="list-style-type: none"> • Design project to ensure minimum or no fragmentation
♦ Higher intensity of land use than previously existed	<ul style="list-style-type: none"> • Corridor control to ensure that entrances and exits on highway remain at safe level

CHART 13
ENVIRONMENTAL COMPONENT
"AGRICULTURE"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Food Land Guidelines
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Agriculture and Food
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Minimize the loss of Classes 1, 2, 3 and 4 soils and specialty crop lands • Avoid fragmentation of farm property • Minimize loss of capital investment

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Directives: <ul style="list-style-type: none"> - Private Piped Drains on MTO Right of Ways - Fencing along MTO Right-of-Ways • Contract requirements: <ul style="list-style-type: none"> - maintaining existing agricultural field tiles - maintaining or providing farm vehicle access roads
DEVELOPING	none
PROPOSED	none

TYPICAL MITIGATING MEASURES FOR "AGRICULTURE"

EFFECT	MITIGATING MEASURE
♦ Loss of access to farmland	<ul style="list-style-type: none"> • Maintain/restore access
♦ Decrease in land productivity as a result of blocked drainage	<ul style="list-style-type: none"> • Maintain/restore tile drainage

CHART 14
ENVIRONMENTAL COMPONENT
"CONTAMINATED PROPERTY"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Environmental Protection Act • Ontario Water Resources Act
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Environment
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Acquisition, management, transfer and disposition of property in environmentally acceptable state

MTO GUIDING DOCUMENTS	
EXISTING	<ul style="list-style-type: none"> • Interpretive Bulletins: <ul style="list-style-type: none"> - Property contamination identification and management during: <ul style="list-style-type: none"> (1) Planning (2) Disposition
DEVELOPING	<ul style="list-style-type: none"> • Interpretive Bulletin: <ul style="list-style-type: none"> - Property contamination discovered during construction: problem identification and management • Site history and audit guidelines
PROPOSED	<ul style="list-style-type: none"> • Contaminated property acquisition, management, transfer and disposition policy • Guidelines for MTO decommissioning activities

TYPICAL MITIGATING MEASURES FOR "CONTAMINATED PROPERTY"	
EFFECT	MITIGATING MEASURE
♦ Migration of potential contaminants to ground water and surface water	<ul style="list-style-type: none"> • Use of indicator factors to identify contaminated property • Removal or containment of contaminated material

CHART 15
ENVIRONMENTAL COMPONENT
"ARCHAEOLOGY"

LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Ontario Heritage Act • Cemeteries Act
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Culture and Communications • Ministry of Consumer and Commercial Relations
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Protection of archaeological resources

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Directives: <ul style="list-style-type: none"> - Archaeological Policy for Provincial Highways Program • MTO/MCC Archaeological Protocol • Environmental Office Reference Book -Archaeology • Contract requirements: <ul style="list-style-type: none"> - protection of archaeological finds - protection of environmentally sensitive areas
DEVELOPING	<ul style="list-style-type: none"> • Procedures for archaeological assessments in aggregate pits and quarries
PROPOSED	<ul style="list-style-type: none"> • None proposed

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "ARCHAEOLOGY"

EFFECT	MITIGATING MEASURE
<ul style="list-style-type: none"> ◆ Destruction of significant archaeological resources 	<ul style="list-style-type: none"> • Survey to identify sites • Salvage to recover, evaluate, and record artifacts and information • Protection of sites by restricting access • Provision in contract to stop work when archaeological resource is discovered during construction

CHART 16
ENVIRONMENTAL COMPONENT
"HISTORICAL RESOURCES"

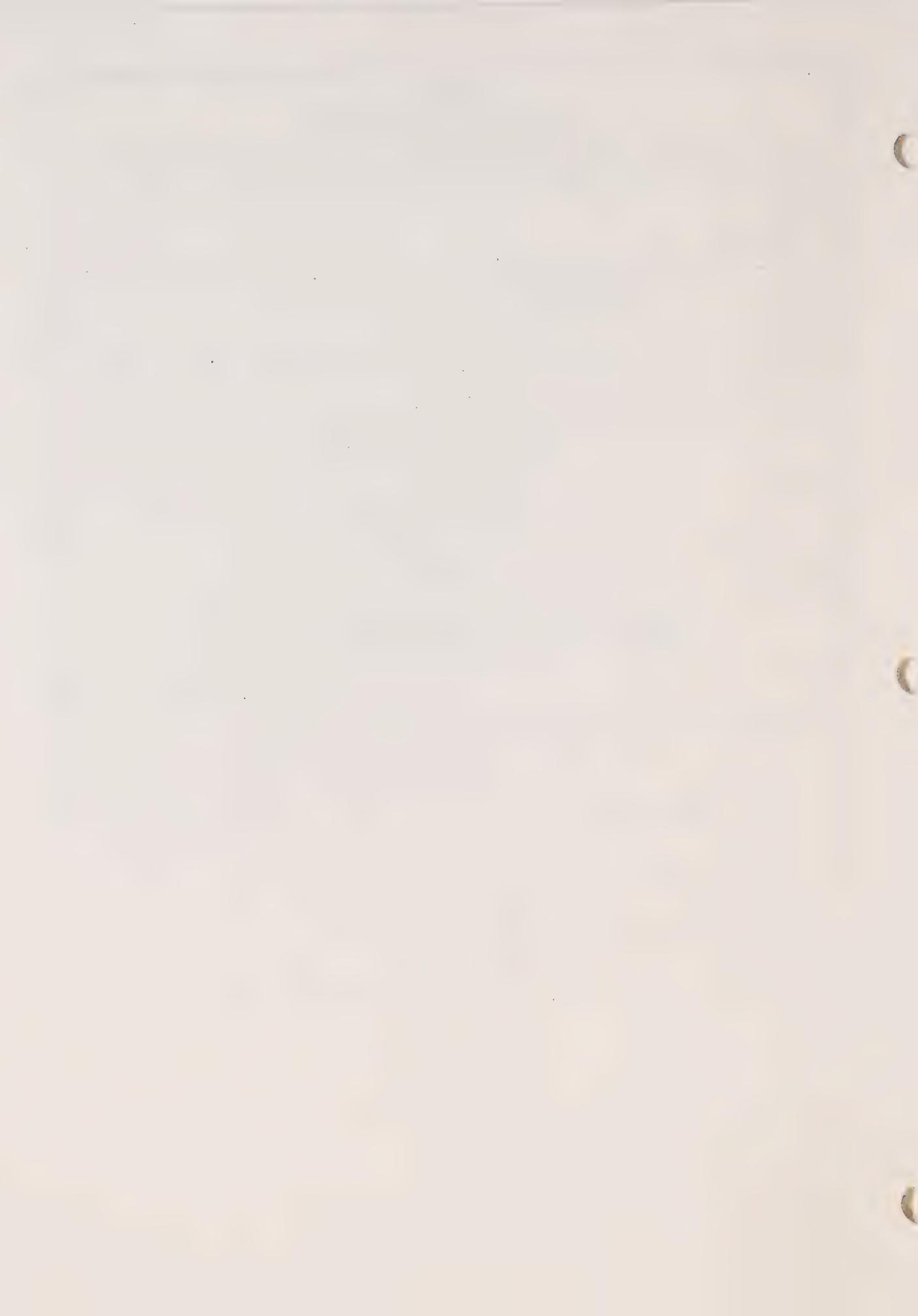
LEGISLATION / POLICY INFLUENCING ASSESSMENT	<ul style="list-style-type: none"> • Ontario Heritage Act
AGENCY (resp. for leg./policy)	<ul style="list-style-type: none"> • Ministry of Culture and Communications • Municipalities
GUIDING PRINCIPLES	<ul style="list-style-type: none"> • Conserve valued historical resources through careful facility planning

MTO GUIDING DOCUMENTS

EXISTING	<ul style="list-style-type: none"> • Ontario Heritage Bridge Program - MTO and MCC Information Package • Environmental Office Reference Book - Historical Resources (Draft)
DEVELOPING	<ul style="list-style-type: none"> • None
PROPOSED	<ul style="list-style-type: none"> • Policy discussions with MCC

EXAMPLES OF TYPICAL MITIGATING MEASURES FOR "HISTORICAL RESOURCES"

EFFECT	MITIGATING MEASURE
♦ Disturbance or destruction of the resource	<ul style="list-style-type: none"> • Fence off area of concern • Prevent public access • Documentation and restoration or removal of resource



APPENDIX S

Ministry of Transportation

Policy Statements and Guidelines

- **Protocols**
- **Directives**
- **Manuals**
- **Guidelines**
- **Interpretive Bulletins**



APPENDIX S - MINISTRY OF TRANSPORTATION POLICY STATEMENTS AND GUIDELINES

The Ministry of Transportation (MTO) has produced and adopted a large number of procedural directives, manuals and guidelines to ensure that the planning, design, construction and maintenance of highway facilities proceeds in a consistent, efficient, safe and responsible manner. The following list represent only a very small portion of the guideline material used by MTO during the development of a project. The materials listed are those which have the most relevance to environmental assessment as described in the Class EA document. Most of the directives, manuals and guidelines are updated or revised on an ongoing or regular basis. As well, MTO develops new ones as required. Consultation with other agencies will be sought, where appropriate, during the preparation or review of documents.

It should be noted that this list does not include the numerous external guidelines etc. that are prepared by other agencies and used by MTO.

In terms of MTO's environmental goals and objectives the following is an excerpt from the draft Strategic Directions 1993, prepared by the Corporate Policy Office:

ENVIRONMENTAL SUSTAINABILITY OF TRANSPORTATION

Implement and support activities which promote sustainable development, and are sensitive to environmental concerns as related to broader government activities

"Strategies to Achieve This:

- Define "environmental sustainability" objectives as they relate to the broader transportation industry and to activities undertaken by the ministry

In the long term, economic, social and environmental goals should be mutually supportive. Moving towards this goal requires the development of standards or milestones against which progress can be measured and program corrections effected. An example is the Wasteless Highway Pilot Project that will establish a feasible standard regarding waste generation.

- **Take the initiative to work with other ministries to identify key environmental issues and develop integrated policies and actions**

Transportation objectives can be integrated with other provincial and community goals. Partnerships with other ministries will ensure that the environmental sustainability of transportation is considered as part of the initial development of provincial initiatives such as the Economic Renewal Agenda, the Environmental Bill of Rights and the Rural and Regional Strategy.

- **Promote partnerships to encourage the implementation of environmentally responsible activities and processes in municipalities and the broader transportation sector**

We have a major facilitation role in areas where we do not have direct jurisdiction. For this reason it is essential that we promote partnerships to address issues such as alternate fuels and emission standards and alternative modes of transportation.

- **Promote environmentally responsible behaviour among ministry employees and program areas**

Through increased employee awareness, there will be greater focus on environmental protection in the Ministry's program areas. Greening of the work place initiatives, such as teleconferencing, carpooling, recyclable product use and paper reduction should be encouraged.

- **Ensure that environmental sustainability objectives are included in the integrated transportation planning process**

Focus planning processes on the broader transportation network rather than individual modes. This includes, for example, overall area transportation requirements and possible modal choices."

RELEVANT PROTOCOLS

A protocol is an agreement between two (or more) government Ministries or agencies to define legal and/or technical requirements for MTO undertakings.

- "A Protocol For Dealing With Noise Concerns During The Preparation, Review and Evaluation of Provincial Highways Environmental Assessments" (MOEE / MTO)
- "A Protocol For Dealing With Archaeological Concerns On Ministry of Transportation Undertaking" (MCC / MTO)
- "Management of Surplus / Waste Materials Generated Through Road Maintenance and Construction" (MOEE / MTO)
- "MTO / MNR / DFO Fisheries Protocol" (draft)

RELEVANT PROVINCIAL HIGHWAYS (PHY) / QUALITY AND STANDARDS (QST) DIRECTIVES

Directives are prepared by MTO to define specific policy within the Ministry. At the time of preparing the Class EA Process Manual, some of the directives were being retitled. The Subject Index - Ministry Directives should be consulted to determine the most recent number and date. "PHY" directives will not be given a "QST" prefix until those directives have undergone a revision.

<u>Number</u>	<u>Title</u>
QST A-1	Noise Policy and Acoustic Standards for Provincial Highways
PHY A-13	Environmental Assessment Act Requirements for the Provincial Highways Program
QST B-6	Impairment of Well Water Quality - Advice to Residents
QST B-14	Procedures for Handling Wayside Pits and Quarries on MTO Projects
QST B-19	Management and Disposal of Hazardous and Liquid Industrial Waste Generated by MTO Operations
PHY B-25	Policy - Patrol Yard Development
PHY B-45	Development and Management of Facilities Construction Program for Patrol Yards and Garages - Sand Pads - Sand and Salt Domes
PHY B-47	Evaluating the Environmental Effectiveness of Design Measures on Highway Construction Projects
PHY B-61	Cost-Effective Analysis of Environmental Protection Measures
PHY B-94	Noise Assessment and Abatement Program - Ministry Responsibilities
PHY B-95	MTO Drainage Manual
PHY B-98	Pre-Contract Engineering Report
PHY B-99	Preliminary Design Reports and Environmental Study Reports for Group "B" Projects - Preparation of Guidelines and Reports
PHY B-100	MTO Design Flood Criteria
PHY B-103	Claims for Compensation for Personal and Business Losses During Construction
PHY B-123	Rest Areas on Freeways - Policy, Procedures and Responsibilities
PHY B-125	Justification Reports
PHY B-135	Top Soil Conservation
PHY B-137	Recreational Trail Crossings of Provincial Highways
PHY B-154	Landscape Development - Capital Funding Guidelines
PHY B-217	Private Piped Drains on the Highway Right-of-Way
PHY B-226	Design Standards, Major Secondary and King's Highways
PHY B-234	Future Perspective, Provincial Highways
PHY B-237	MTO Drainage Management Policy and Practice

PHY B-239	Storage of Liquid and Hazardous Wastes at Permanent Ministry Facilities
PHY B-246	Archaeological Policy for Provincial Highways Program
PHY B-250	Transportation of Dangerous Goods Documentation Requirements
PHY B-251	Transportation of Dangerous Goods Requirements
PHY C-7	Project Construction Report
PHY C-19	Criteria for the Selection of Patrol Yard Sites
PHY C-144	Project Documents Review

RELEVANT MTO MANUALS

Manuals are prepared by various offices within MTO for internal use. They incorporate information from numerous sources (eg. directives, protocols etc.) to explain how a specific subject matter must be addressed by MTO.

- Construction Manual. MTO Contract Management Office.
- Contract Design, Estimating and Documentation Manual. MTO Surveys and Design Office.
- Geometric Design Standards for Ontario Highways. MTO Surveys and Design Office.
- Maintenance Manual. MTO Maintenance Services Office.
- MTO Drainage Manual. MTO Drainage and Hydrology Section, Surveys and Design Office.

The development of the Drainage Manual is an on-going project. The following chapters have been completed to date:

Chapter A - Legal Aspects of Highway Drainage
Chapter B - Design Flood Estimation for Small Watersheds
Chapter C (Draft) - Open Channel Design
Chapter D - Hydraulic Design of Culverts
Chapter E - Pavement Drainage and Storm Sewer Design
Chapter F - Erosion and Sediment Control

- Ontario Provincial Standards (OPS). Prepared and issued by MTO Surveys and Design Office in conjunction with the Municipal Engineers' Association and the Ministry of the Environment and Energy.

OPS - Specifications
Vol. #1 - Construction
Vol. #2 - Material

OPS - Drawings
Vol. #1 - Road, Barriers, Drainage, Sanitary Sewers and Watermains
Vol. #2 - Electrical
Vol. #3 - Structural (under development)

- Structural Manual. MTO Structural Office.
- Structure Rehabilitation Manual. MTO Structural Office.
- Structural Steel Coating Manual. MTO Structural Office.
- Environmental Office Manual: Technical Areas - Noise. MTO Environmental Office.
- Property Manual. MTO Property Office.
- Claims Manual. MTO Property Office.
- Environmental Manual - Class EA Process (Working Draft). MTO Environmental Office.
- Environmental Manual - Fisheries (Working Draft). MTO Environmental Office.
- Regional Planning and Design Project Management Manual (Draft). MTO Surveys and Design Office.

RELEVANT MTO GUIDELINES

Guidelines provide resource reference information and suggested approaches.

- Environmental Reference Book - Historical Resources
- Environmental Reference Book - Archaeology
- Environmental Reference Book - Fisheries
- Environmental Reference Book - Groundwater
- Environmental Reference Book - Surface Water (draft)
- Tree Preservation Guidelines. MTO Highway Engineering Division.
- Ontario Heritage Bridge Program - Ministry of Transportation and Communications and Ministry of Citizenship and Culture Information Package. Architecture and Planning - MCC; Municipal Roads Office, MTC; Structural Office - MTC.
- Urban Drainage Design Guidelines. Ministry of Natural Resources, Ministry of Municipal Affairs, Ministry of Transportation, Association of Conservation Authorities, Municipal Engineers' Association and Urban Development Institute of Ontario.
- Structural Planning Guidelines Vols. I and II. MTO Committee on Structural Planning.
- MTO Drainage Management Technical Guidelines.
- Specifications, Standard and Non-Standard Special Provisions addressing Environmental Concerns / Constraints / Requirements. Environmental Office.
- MTO / MOEE Guideline for Preparing Environmental Assessments (Draft).

**RELEVANT ENVIRONMENTAL OFFICE INTERPRETIVE BULLETINS
(AS OF DECEMBER 1, 1992)**

Interpretive bulletins are to provide clarification, or interim policy direction on matters relating to the MTO Environmental Office's and Region Environmental Units' function. Eventually, final direction should be written into a directive.

NO.	TITLE	DATE	STATUS
A	GROUP A PROJECTS		
B	GROUP B PROJECTS		
C	GROUP C PROJECTS		
C-1	Expansions - Patrol Yards / Inspection Stations	86-02-20	
C-3	Building Demolition, Modification or Relocation	89-02-08	
D	EA ACT - GENERAL		
D-1	Retirement of Roadways	87-05-06	
D-2	French Language Services Act Requirements - Environmental Reports and other Environmental Services	89-11	Draft
D-3	Vegetation Clearing Prior to Environmental Approval	90-07-03 90-10-15	Draft Draft
D-4	Freedom of Information & Protection of Privacy Act - Application to MTO Public Consultation	92-11-26	Draft
E	EPA - GENERAL		
F	REGULATION 309 - GENERAL		
G	SPECIAL WASTE ISSUES		
G-1	Transportation, Storage and Disposal of Catch Basin Cleanout Material	88-02-22 90-02-21	Revised 90-02-21
G-2	Dust Suppressants - Classification and Guidelines for Their Use	88-02-19	Revised 89-01-10 90-03-05

NO.	TITLE	DATE	STATUS
G-4	Transportation, Storage, and Disposal of Roadsweeping Material	88-02-22	Revised 90-01-22
G-5	Transportation and Disposal of Waste Material from Vehicle Operations	88-09-06	
G-6	Property Waste / Contamination Problem Identification and Management	90-02-16	
G-7	Waste Management Requirements for Lead-Acid Batteries Under Reg. 309 of the EPA and the TDGA	90-09-24	
G-8	Waste Disposal at MTO Sites - Patrol Yards, Winter Maintenance		Draft to be submitted
G-9	Disposal of Surplus MTO Property - Identification and Management of Contamination	92-06-01	Draft
H	PCBs - GENERAL		
I	SPILLS - GENERAL		
I-1	Patrol Response to Non-MTO Spills	90-10-10	
J	ONTARIO WATER RESOURCES ACT - GENERAL		
J-1	Permit to Take Water (OWRA, Section 20)		To be submitted
K	GENERAL FUNCTION		
K-1	Environmental Office Mandate and Role	89-04-05	
K-2	Environmental Assessment Report Administration	92-08-19	
K-3	MTO Review Coordination of External Agency EAs	92-11-09	
L	WILDLIFE		
L-1	Migratory Birds Convention Act		Draft

NO.	TITLE	DATE	STATUS
M	FISHERIES		
M-1	Requirements under the Federal Fisheries Act	90-08-28	
M-2	Spread of Zebra Mussels by MTO Activities	90-09-13	
N	TDGA		
N-1	Use of Emergency Response Plan Numbers on Dangerous Goods Documentation for the Transportation of Explosives by MTO Personnel	91-09-19	
N-2	Dangerous Goods Occurrence Reporting Requirements Under TDGA	91-06-12	
O	AGGREGATES		
O-1	Method of Addressing the Environmental Impacts Associated with MTO Aggregate Activities	92-12-21	



APPENDIX T

Overview Class EA Monitoring



APPENDIX T - OVERVIEW CLASS EA MONITORING

The overall goal of overview Class EA process monitoring is to determine ways of making the process better while ensuring that environmental commitments are met. More specifically, the objectives are to determine:

- the overall effectiveness of the process described in the Class EA document;
 - specific problems with the process; and
- suggestions for improving the process.

In addition, Section 3.7.1.2. of the parent Class EA states that "*an annual update of the status of all projects planned in accordance with the Class EA will be submitted to the Environmental Assessment Branch.*"

To address the foregoing, each Regional Environmental Unit is responsible annually to complete the form included in this appendix and submit the completed form(s) to the Environmental Office. The Environmental Office will compile all regional forms and submit a single report to MOEE.

While the form has been kept simple for ease of use, several points of clarification should be made as follows;

- 1) Forms need only be filled out for projects that have received environmental clearance;
- 2) Appropriate information should be either filled in or checked off as appropriate (dates are not required);
- 3) Project Description should be kept brief; more than one Group "B" subgroup classification should be noted, if appropriate. The subgroup classifications are:
 - a) realignments
 - b) improvements to existing highways and freeways
 - c) new interchanges on an existing highway or modifications to existing interchanges
 - d) new or modified water crossings and watercourse alterations
 - e) new highway service facilities

- 4) Comments Re: Process should only be completed if there is an unusual or notable issue, problem, suggestion regarding the Class EA process. It should not be used to comment on technical issues. When a comment has been checked, appropriate background information should be submitted along with the form and referenced on the form and the attachment by a reference number.

ANNUAL STATUS REPORT - PROVINCIAL HIGHWAYS CLASS EA PROJECTS

CALENDAR YEAR:

PROJECT DESCRIPTION	INITIAL NOTIFICATION	FINAL NOTIFICATION	DOCUMENT SUBMITTED	BUMP UP REQUEST	EA ACT CLEARANCE	CONSTRUCTION	COMMENTS RE: PROCESS
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____
Group B (a) _____ (b) _____ (c) _____ (d) _____ (e) _____ W.P. _____ Contract # _____ Highway _____	completed _____	completed _____	ESR RDL _____	no _____ yes _____ denied _____ granted _____ withdrawn _____	initial _____ 3 yr. _____ 5 yr. _____	commenced _____ completed _____	see attachment numbered _____

MTO REGION _____

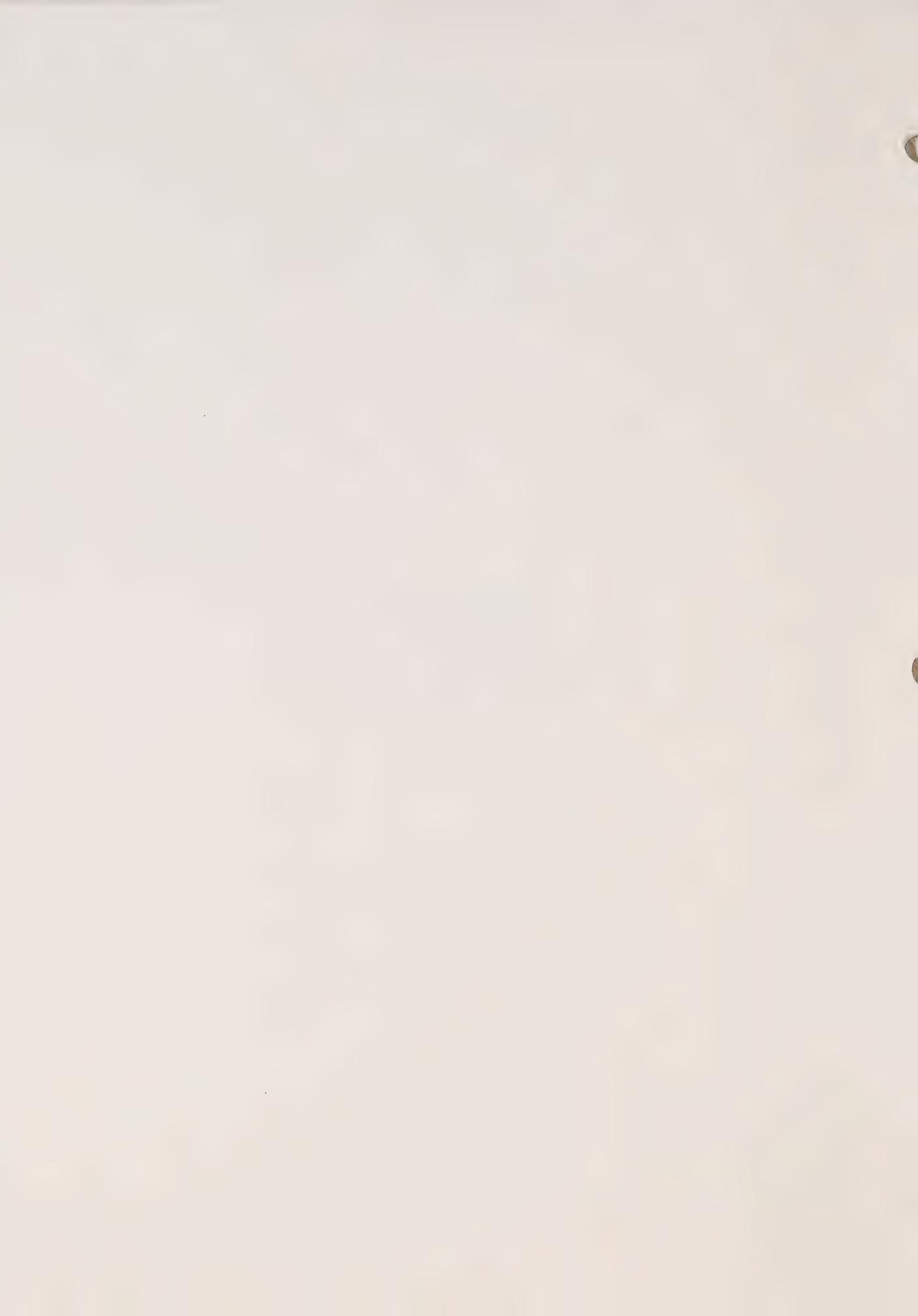
ENVIRONMENTAL UNIT SUPERVISOR _____

TELEPHONE _____



APPENDIX U

Glossary of Terms



APPENDIX U - GLOSSARY OF TERMS

ACRONYMS

DFO	Department of Fisheries and Oceans (Federal).
EA Act	Environmental Assessment Act, RSO 1980.
EAP	Environmental Assessment Proposal
EAR	Environmental Assessment Report (prepared for Group "A" projects)
ESR	Environmental Study Report (prepared for appropriate Group "B" projects)
ESS	Environmental Status Statement (prepared for exempt Group "A" projects)
FLSA	French Language Services Act
FOIPPA	Freedom of Information and Protection of Privacy Act
MOEE	Ministry of the Environment and Energy for Ontario
MNR	Ministry of Natural Resources of Ontario
MTO	Ministry of Transportation for Ontario
PAR	Project Appraisal Report
RDL	Reduced Documentation Letter (prepared for appropriate Group "B" projects)

GLOSSARY

"Alternatives to"	Alternative ways of solving a documented transportation deficiency (see Section 5(3) of the EA Act), such as functionally different modes (road, transit, rail, air, water) and/or different road solutions (see Exhibit 3).
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"Alternative methods"	Alternative ways of carrying out the selected alternative (see Section 5(3) of the EA Act) which may include preliminary design, detail design, construction or maintenance alternatives (See Exhibit 3).
Alignment	The vertical and horizontal position of a road.
Bridge	In general, a bridge transfers all live loads through a superstructure to a substructure and foundations.
"Bump-Up"	Refers to a decision by the proponent or by the Minister of the Environment and Energy to require that an individual environmental assessment be carried out, as the environmental significance of a project is of such proportion that the procedures for environmental assessment provided for under the Class EA process are not sufficient.
Class Environmental Assessment Process (Class EA)	A planning process used for a group or "class" of projects which are similar in nature, have common characteristics, recur frequently and have a generally predictable or reasonably well-known range of effects and mitigating measures.
Class Environmental Assessment Document	An individual Environmental Assessment Report documenting the Class EA process which is formally submitted under the EA Act. Once the Class EA document is approved, projects covered by the class can be implemented without having to seek further approvals under the EA Act provided the Class EA process is followed.
Clean-up	Restoration of a contaminated site to ensure the protection of human health and the environment.
Compensation (habitat)	The replacement of natural habitat lost through implementation of a project, where implementation techniques and other measures could not fully alleviate the effects.
Contract Package	Also known as construction package. Includes contract drawings and documents for tendering.
Corridor	A band of variable width between two locations. In transportation studies a corridor is a defined area where the need for an improvement to overcome a transportation deficiency is examined.

Culvert	In general, a culvert transfers all live loads through fill.
Decommissioning	Activities associated with the management of contaminated property, including, but not limited to the following: site audits, investigations, clean up plans, and all associated authorizations, including EPA Part V approval to construct on a former waste disposal site, and MOEE authorizations for soil and materials management. Decommissioning does not include waste and excess materials management activities which are classified as Group "D".
Deficiency	Occurs when a transportation facility or system is unable to adequately accommodate the use for which it is intended.
Design criteria	A framework of the main geometric standards to be utilized for a contract.
Detail design	The final stage in the design process in which the engineering and environmental components of preliminary design are refined and details concerning, for example, property, drainage, utility relocations and quantity estimate requirements are prepared, and contract documents and drawings are produced.
Directive	Prepared by MTO to define specific policy for the Ministry.
Divided highway	A highway which incorporates a physical separator (ditch, traffic barrier or combination) between opposing traffic
Emergency response	Activities undertaken by MTO staff when an abandoned material is discovered, or a spill occurs on a Provincial highway or other MTO property. For the purposes of this document, emergency response does not include other activities associated with vehicle accidents or other incidents.
Environment	As defined in Section 1(c) of the EA Act, RSO 1980: <ul style="list-style-type: none">(i) air, land or water,(ii) plant and animal life, including man,

	<p>(iii) the social, economic and cultural conditions that influence the life of man or a community,</p> <p>(iv) any building structure, machine or other device or thing made by man,</p> <p>(v) any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from the activities of man, or</p> <p>(vi) any part or combination of the foregoing and the interrelationships between any two or more of them,</p> <p>in or of Ontario;</p>
Environmental Effect	A change in the existing conditions of the environment which may have either beneficial (positive) or detrimental (negative) effects.
Environmentally Sensitive Areas	Those areas identified by any agency or level of government which contain natural features, ecological functions or cultural, historical or visual amenities which are susceptible to disturbance from human activities and which warrant protection. Such areas include: wetlands, areas of natural and/or scientific interest (ANSI) (Ministry of Natural Resources), environmentally sensitive areas and areas of environmental concern (conservation authorities, municipal official plans - Planning Act), protected species (Ministry of Natural Resources - Fish and Game Act), archaeological sites (Ministry of Culture and Communications) or historical resources (Ministry of Culture and Communications, Local Architectural Conservation Advisory Committee).
Environmental Study Report (ESR)	The report prepared for specific Group "B" projects covered by the Class EA. It defines the project and documents the results of the study process as defined by the Class EA.
External agencies	Include federal departments and agencies, provincial ministries and agencies, conservation authorities, municipalities, Crown corporations or other agencies other than MTO.

Excess materials	Materials which are surplus to the requirements of a highway construction or maintenance operation. These materials can be managed through re-use, recycling, disposal as fill, open-burning or disposal as waste.
Freeway	A divided highway with full control of access i.e. access is provided at interchanges only.
Grade separation	A vertical separation between a road/road or road/rail crossing.
Group "A" projects	Projects which are subject to the full requirements of the EA Act including the preparation and submission for review and approval of individual environmental assessments.
Group "B" projects	Projects which are approved under the EA Act, subject to the Class EA process.
Group "C" projects	Projects which are approved under the EA Act, subject to screening for environmental effects.
Group "D" activities	Projects which are approved under the EA Act, subject to compliance with other environmental legislation and requirements.
Highways	For the purpose of this document, this refers to all roadways under the jurisdiction of MTO including King's highways (including the QEW and 400 series, i.e. freeways), secondary highways and tertiary roads. This includes all components within the associated right-of-way, e.g. structures, drainage works, traffic and safety devices.
Highway facilities	Any facility associated with a Provincial roadway including patrol yards, truck inspection stations, winter maintenance facilities, rest areas, commuter parking lots, travel information centres and service centres.
Individual Environmental Assessment	An environmental assessment for an undertaking to which the EA Act applies and which requires formal review and approval under the Act.
Interchange	The intersection between two roadways at different levels with connecting ramps for traffic turning between them.

Interpretive Bulletin	Prepared by MTO to disseminate information on interpretation of legislation/policies or emerging environmental issues within the Ministry.
Median	The portion or space on a highway between the opposite direction lanes of a highway.
Mitigating Measure	Measure that is incorporated into a project to reduce, eliminate or ameliorate detrimental environmental effects.
New route	New highway created where no highway facility existed previously.
"Overhead" permit	General permit required by a contractor in order to be licensed to carry out specific activities, e.g. to transport hazardous materials.
Patrol yard	Facility established for the maintenance of the highway which includes buildings (office, garage), fuel tanks, storage domes for sand and salt, material stockpiles, vehicle parking and storage areas, access roads, entrances, acceleration and deceleration lanes and waste storage.
Planning	That part of the planning and design process during which alternatives to the undertaking and, where applicable, alternative routes are identified and assessed prior to determining a preferred alternative which is carried forward to the preliminary design stage.
Preliminary Design	That part of the planning and design process, during which various alternative solutions are examined and evaluated including consideration of environmental effects and mitigation; the recommended design solution is then developed in sufficient detail to ensure that the horizontal and vertical controls are physically compatible with the proposed site, that the requirements for lands and rights-of-way are satisfactorily identified, and that the basic design criteria or features to be contained in the design have been fully recognized and documented in sufficient graphic detail to ensure their feasibility.

Project Appraisal Report	The purpose of this report is to outline the project work plan, setting out its scope and staff requirements.
Project	A specific undertaking planned and implemented in accordance with this Class EA including all those activities necessary to solve a specific transportation problem.
Proponent	A person or agency who carries or proposes to carry out an undertaking, or is the owner or person having charge, management, or control of an undertaking.
	For projects covered by this Class EA, the proponent is the Minister of Transportation.
Protocol	An agreement between two (or more) government Ministries or agencies to define legal and/or technical requirements for MTO undertakings.
Public	Includes the general public, interest groups, associations, community groups, and individuals (including property owners), (See Section 3.7.5).
Purpose of the Undertaking	A description of what the proponent wishes to achieve by carrying out an undertaking; the problem to be solved.
Rationale for the Undertaking	A summary argument in favour of the undertaking, highlighting major findings of the study and explaining why the selected alternative is the most acceptable.
Realignment	Replacement or upgrading of an existing highway on a new or revised alignment. It includes projects that were previously identified in the 1985 Class EA as major realignments and bypasses.
Rest area	A rest area located on a site large enough to accommodate services such as parking, for both cars and trucks, picnic and play areas, washrooms and possible tourist information or interpretive facilities.
• Major	
• Minor	A site which includes picnic and washroom facilities only.

Scoping	The determination of which environmental components are of concern and/or significance and therefore require the detailed assessment of effects and consideration of mitigation.
Service centre	In this document, service centre applies to those located on controlled access highways. A service centre normally includes access ramps, parking, service station, restaurant and picnic areas and other facilities to provide for the comfort and convenience of the travelling public.
Significance	When concerns about an environmental component are identified by external agencies, the public, MTO investigations and legislative requirements.
Technically preferred alternative	The preferred alternative determined by the Project Team following the analysis and evaluation. Subsequently, the technically preferred alternative is reviewed with the public and external agencies. If there is general support, it usually becomes the preferred alternative. The term "technically preferred" is not necessarily used by all regions.
Total station survey	Where the survey instrument is set-up in one location and X, Y, Z co-ordinates are calculated internally within the machine. Therefore, a fairly clear job site is required which could require initial vegetation clearing.
Transportation facilities	In the Class EA this includes highways (and other modes) and service facilities.
Truck inspection station	Facilities include buildings, weigh scales, parking areas, ramps and storage area.
Twinning	The addition of one or more lanes to a highway facility where the new lanes are separated from the existing lanes by means of a median.
Undertaking	In the Class EA the term "undertaking" refers to the group of projects for which the proponent is seeking approval, and for which a Class Environmental Assessment is submitted describing a planning process which will be followed by the proponent for each project implemented.

Waste	Excess materials which are disposed of at a site certified under Part V of the Environmental Protection Act.
Winter maintenance facility	May include a garage, fuel pumps and storage buildings, including facilities for de-icing chemicals.



APPENDIX V

Miscellaneous Information



APPENDIX V - MISCELLANEOUS INFORMATION

Regions to insert other pertinent information.

MINISTRY OF TRANSPORTATION

